

January 04, 2012

REGULAR MEETING:

The La Cygne City Council met on January 04, 2012 for a regularly scheduled meeting at La Cygne City Hall. Council Members present were: Jake Fleming; Linda Meisel; Travis Robbins; and Esther Shields. Absent: Robert Sullivan.

Others in attendance included, but not limited to: City Clerk Gary Mahon; City Attorney John Sutherland; Police Chief Paul Filla; Public Works Superintendent Jim Johnson; Fire Chief Dan Nasalroad; Police Officer John Epperson; Police Officer Tate West; Bo Higgins; Fred Meisel; LeRoy Turpen; Brad Barrett; Allen Huggins; Robert Turpen; Robin Cornejo; Jose Cornejo; Judy Kinder; Charlene Sims; Deb Wilson; Emil Wilson Shannon Ross; Debbie Ross; Tom Whildin; Jonathan Mihalhauser; and Bobby Mihalhauser

Mayor Weitman called the meeting to order at 7:00 p.m. by asking Police Officer John Epperson to lead in the pledge of allegiance.

MAYOR'S COMMENTS:

- ❖ Resignation of Police Officer John Epperson
 - Mayor Weitman presented John with plaque denoting appreciation for his service to La Cygne
 - Noted John's accomplishments in solving crimes and helping reduce drug related problems
 - Chief Paul Filla thanked John for his service
 - Right person at the right time
 - Noted John's good rapport with kids
 - John Epperson thanked all for welcoming him into the community
 - Appreciates everyone in La Cygne
 - Will return from time to time
 - Will miss La Cygne like crazy

PUBLIC HEARINGS:

VAN ROSS – 402 WALNUT – GARAGE & FRONT PORCH

Mayor Weitman opened the public hearing for property located at 402 Walnut (Van Ross). Public was invited to make comments regarding the property.

Concerning Front Porch of Residence:

- ❖ Shannon Ross:
 - Had tried in the past to find someone to make repairs
 - ◆ Noted that there had always been a situation that resulted in repairs not being made
 - Potential contractors not showing to make estimates
 - Property owners not accepting estimates
 - Potential contractors getting side-tracked due to unexpected personal happenings
 - Noted money to pay for repairs was a problem
- ❖ Mayor Weitman
 - Noted that past problems were duly recognized
 - Asked if the Ross Family had a plan for rectifying the property in disrepair
 - Noted that La Cygne Police Department had tried to find assistance for the Ross Family

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- ❖ Codes Officer/Police Chief Paul Filla:
 - Noted that he had contacted Christian Church
 - They did not have a property restoration program in place but would investigate to see if they could find help
 - ◆ Filla had not received any response back from Christian Church
- ❖ Attorney John Sutherland:
 - Advised that the Ross Family be given some time to lay out a plan of action.
- ❖ Council Member Shields:
 - Noted that she knew of a person who is capable of doing good repair work and is reasonably priced
 - Shields offered to place the Ross family in contact with such person
- ❖ Council Member Meisel:
 - Porch is a hazard and needs to be repaired
 - Suggested that Ross Family be given a time period in which to make repairs
- ❖ Police Officer Tate Wet:
 - Noted that there is no ordinance stating a house had to have a porch
 - If it could not be repaired it could be removed
 - ◆ Removal might be a less expensive option

Concerning Garage (Shed)

- ❖ Shannon Ross:
 - Noted the building was considered a shed and not a garage
- ❖ Codes Officer/Police Chief Filla:
 - Main problem with the garage (shed) is its instability
 - Can push on one corner and move the entire garage (shed)
 - Cross Bracing might possibly eliminate this problem
 - A simple and less costly remedy

✓ *Motion To Adjourn Hearing To February 01, 2012*

Council Member Meisel moved to adjourn the public hearing to the regularly scheduled city council meeting in February (February 01, 2012) thus allowing the property owner to formulate a plan for repairs, removal, or other adequate remedies. Motion seconded by Council Member Shields, voted on, passed 4-0. Time: 7:18 p.m.

SANDRA WHITE – NORTHWEST CORNER OF INTERSECTION OF 4TH & LOCUST – 2 STRUCTURES

Mayor Weitman opened the public hearing for property located at the northwest corner of the intersection of 4th and Locust (Sandra White). Public was invited to make comments regarding the property.

- ❖ City Clerk Gary Mahon
 - No property owners present at hearing
 - Certified letter containing notice of this hearing was sent to property owner
 - Letter was not picked up nor has the letter been returned to city

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- ◆ City Clerk Note: Postmaster had verbally verified 1/04/12 that letter was not picked up and that letter was not in property owner's mailbox.
 - Postmaster not sure where letter was but City should be receiving it.

- ❖ Codes Officer/Police Chief Paul Filla
 - Will personally deliver notice of tonight's hearing results
- ❖ No other comments were received by the public in attendance

✓ *Motion To Adjourn Hearing To February 01, 2012*

Council Member Meisel moved to adjourn the public hearing to the regularly scheduled city council meeting in February (February 01, 2012) thus allowing the property owner another opportunity to attend and make comments. Motion seconded by Council Member Fleming, voted on, passed 4-0. Time: 7:20 p.m.

JEREMY JOHNSON – 401 CHESTNUT - GARAGE

Mayor Weitman opened the public hearing for property located at 401 Chestnut (Jeremy Johnson). Public was invited to make comments regarding the property.

- ❖ City Clerk Gary Mahon:
 - Property Owner not present
 - City has received the receipt of delivery of certified letter containing notification of this hearing
- ❖ Codes Officer/Police Chief Paul Filla
 - Property Owners have been tearing down the garage
 - Condemnation proceedings may be a moot point
- ❖ No comments received by public in attendance

✓ *Motion To Adjourn Hearing To February 01, 2012*

Council Member Meisel moved to adjourn the public hearing to the regularly scheduled city council meeting in February (February 01, 2012) thus allowing Codes Officer/Police Chief Paul Filla opportunity to contact property owners and ascertain status. Motion seconded by Council Member Fleming, voted on, passed 4-0. Time: 7:23 p.m.

SPECIAL BUSINESS:

ADVANCED AQUATICS: BO HIGGINS

- ❖ Representatives of Advanced Aquatics of Kansas, Inc. addressed council
 - Bo Higgins, Jonathan Muhlhauser; and Bobby Muhlhauser
- ❖ Brokers to purchase water for Oil drillers
- ❖ Purchase water from lagoon effluent, raw water, etc.
 - Drillers use in oil drilling procedures
- ❖ Possibly construct new settling pond and sell water directly from pond
- ❖ City had been presented with contract to purchase effluent water
- ❖ New fresh water contract between Advanced Aquatics and some other cities
 - Left copy of fresh water contract with City Clerk
- ❖ Advanced Aquatics would like to broker water purchases from La Cygne to Drillers
- ❖ Mayor Weitman requested the water committee to work with attorney and make recommendation

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SPECIAL COMMITTEE REPORTS:

To accommodate several members of the Chamber of Commerce, this item was moved up in the agenda.

CHAMBER OF COMMERCE – THAYER LAND DONATION: ROBIN CORNEJO

Robin Cornejo reported that the Thayer Family had donated a parcel of land to the Chamber of Commerce to be used as a park setting. Chamber is requesting that City accept donation of deed in City's name.

- ❖ Property is lot 0 in block 28 that borders Broadway on the east, Market on the south, and Railroad right-of-way on the west
- ❖ Approximately 7600 square feet
- ❖ Lot is triangular in dimensions
- ❖ Council had been presented with preliminary proposal of proposed use of land as well as sharing of responsibilities between City and Chamber
- ❖ Chamber of Commerce does not qualify for tax exempt status
 - City would incur a \$400 filing fee for tax exemption on the property
- ❖ City has state tort claim laws to assist with liability issues. Chamber does not
 - City's liability policy would be minimally affected with addition of this land as a park
- ❖ Land could only be used for park purposes
 - Title would revert back to Thayer family if used for any other purpose
- ❖ Procuring funds for development of the park would be responsibility of Chamber
- ❖ Maintenance would need to be jointly shared, especially as more improvements are made to the park

✓ *Motion For City To Accept Thayer Donation of Land For Park Use*

Council Member Shields moved to accept donation of Thayer property for park use by the City of La Cygne with such park to be developed and taken care of by the Chamber of Commerce. Motion seconded by Council Member Fleming, voted on, passed 4-0. Time: 8:01 p.m.

CONSENT AGENDA:

✓ *Motion to Approve Consent Agenda*

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

Minutes of December 21, 2011 regular city council meeting;
Check Register: December 22, 2011 through January 04, 2012;

Motion seconded by Council Member Fleming, voted on, passed 4-0. Time: 8:02 p.m.

DISCUSSION FROM THE FLOOR:

None.

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REPORTS OF CITY OFFICERS:

POLICE DEPARTMENT – CHIEF PAUL FILLA

- ❖ Take Back Drug Day will be in April
 - Drugs to be disposed of can be brought in now and left with Police Department
- ❖ Commended Officer Jim Hogue for fast action in medical emergency
 - Citizen had accidentally severed a main artery in leg while splitting wood
 - Officer Hogue's quick action may have possibly saved the victim's life

PUBLIC WORKS DEPARTMENT – SUPERINTENDENT JIM JOHNSON

- ❖ Street Barn sewer line not working
 - Line runs 371 ft from street barn to sewer main on 1st street
 - City Ordinance states that buildings must connect to city sewer if within 140 ft of sewer main
 - Checking to determine if other alternatives are possible for street barn
 - Option: Holding Tank or Septic tank
 - ◆ Holding Tank cost approximately \$900
 - ◆ Would have to be pumped
 - ◆ Presently a KCPL sub-contractor dumping into city sewer
 - Possibly trade off dump charge for pumping city holding tank
 - Sub-contractor would be gone after four years
 - ◆ Limited space for septic system lateral lines
 - Option: Bore under K-152 and tie-in to McElreath Storage sewer line
 - ◆ This probably the least desirable of available options
 - ◆ City Clerk Mahon noted that McElreath is a service line and that present ordinances prohibit more than one entity or main building on same service line
 - Option: Run new line to first street
 - ◆ Many obstacles to go around
 - Utility lines servicing the water plant
 - Telephone lines/fiber optic cable

COUNCIL COMMITTEE REPORTS:

COMMUNITY BUILDING

- ❖ Council Member Meisel;
 - Noted some electrical problems in kitchen during Christmas Breakfast
 - However there were many electrical appliances working at same time
 - Oven in gas cook stove not working properly
 - Smith Appliance will be coming to inspect and make adjustments
- ❖ Tom Whildin:
 - Reported on requirements to install a transfer switch
 - Switch would be used to transfer building to generator during power outage
 - Reported on possible over-all electrical upgrades for entire community building
 - Noted that breaker switches become weaker each time they are tripped
 - ◆ New switches in present panel box recommended
 - ◆ Present panel box is old but would be sufficient to service community building under present usage requirements
 - ◆ New panel box approximate cost = \$1400
 - ◆ Council Member Shields recommended that panel box be replaced while doing other electrical upgrades to ensure everything was up-to-date

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- ❖ Council Member Shields made a motion to purchase a 200 amp fuse box for the community building
 - After further discussion the motion was withdrawn by Council Member Shields
- ❖ Council suggested obtaining price quote for additional outlets and line in kitchen and also additional outlets in west room
- ❖ Council asked Tom Whildin to submit a written estimate of what he considers to be needed electrical improvements by next meeting
 - Keep transfer switch estimates separate

UNFINISHED BUSINESS:

NEW BUSINESS:

APPOINTMENT OF PUBLIC BUILDING COMMISSION MEMBERS

Mayor Terry Weitman appointed the following to new four year terms on the Public Building Commission:

Charlie Moore; Scott Calvert; and Roger Wade

✓ *Motion To Accept Public Building Commission Appointments*

Council Member Meisel moved to accept the Mayor's appointments of Charlie Moore, Scott Calvert, and Roger Wade to the Public Building Commission. Motion seconded by Council Member Fleming, voted on, passed 4-0. Time: 8:21 p.m.

COMPREHENSIVE PLAN UPDATE

- ❖ Council Member Meisel distributed copies of a proposed updated Comprehensive Plan
 - Planning Commission working on updating the plan
 - Has not been updated since adopted in 2003
 - City Council needs to update its capital improvements plan so as to be included in the Comprehensive Plan
 - A capital improvements plan will be a good tool in assisting with budget planning and identifying future capital needs
 - ◆ Will be beneficial in identifying future water plant needs
- ❖ It was decided to hold a workshop at 5:00 P.M., Thursday, January 12th at City Hall as a first step in re-establishing a capital improvements plan

EXECUTIVE SESSION:

✓ *Motion To Go Into Executive Session*

Council Member Fleming moved to go into executive session for legal and personnel for up to forty (40) minutes. Motion seconded by Council Member Robbins, voted on, passed 4-0. Time: 8:33 p.m.

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Executive Session Extended

✓ *Motion To Extend Executive Session*

Council Member Fleming moved to extend the executive session for up to five (5) minutes for personnel. Motion seconded by Council Member Robbins, voted on, passed 4-0. Time: 9:13 p.m.

Open Session Resumed at 9:18 p.m.

OTHER BUSINESS:

TATE WEST TO FULL TIME POLICE OFFICER STATUS

✓ *Motion To Change Status of Tate West to Full Time*

Council Member Robbins moved to change status of Tate West from part-time to full-time police officer at twelve dollars per hour (\$12/hr) with possible salary adjustment after successful completion of KLETC training. Motion seconded by Council Member Fleming, voted on, passed 4-0. Time: 9:20 p.m.

CITY CLERK'S REPORT

Verbal: None

Written: None

NOTES AND COMMUNICATIONS TO COUNCIL:

- a] Certificate of Achievement – Emergency Management Institute: John Epperson
- b] Minutes – La Cygne Chamber of Commerce: December 14, 2011
- c] Minutes – La Cygne Park Board: December 01, 2011

ADJOURNMENT:

✓ *Motion to Adjourn Meeting*

There being no further business, **Council Member Fleming moved to adjourn the meeting. Motion seconded by Council Member Shields, voted on, Passed 4-0.** The Regular meeting was adjourned at 9:23 p.m.

I, _____
(Gary D. Mahon)

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 2012.

January 12, 2012 Work Session

Work Session:

The La Cygne City Council met at 5:00 p.m. January 12, 2012 for a work session. Council Members present were: Jake Fleming; Linda Meisel; Travis Robbins; and Esther Shields. Absent: Robert Sullivan.

Others in attendance included: Mayor Terry Weitman; City Clerk Gary Mahon; City Attorney John Sutherland; Police Chief Paul Filla; Public Works Superintendent Jim Johnson; and Fire Chief Dan Nasalroad.

Purpose of the meeting was to update the City's Capital Improvement Plan to be included in the City's Planning & Zoning Comprehensive plan.

Gary D. Mahon, City Clerk

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REGULAR MEETING:

The La Cygne City Council met on Wednesday, January 18, 2012 for a regularly scheduled meeting at La Cygne City Hall. Council Members present were: Jake Fleming; Linda Meisel; Travis Robbins; and Esther Shields. Absent: Robert Sullivan.

Others in attendance included, but not limited to: City Clerk Gary Mahon; City Attorney John Sutherland; Police Chief Paul Filla; Public Works Superintendent Jim Johnson; Fire Chief Dan Nasalroad; Police Officer Tate West; Judy Kinder; Brad Barrett; Robert Turpen; Le Roy Turpen; Fred Meisel; Charlene Sims; Allen Huggins; and Amy West.

Mayor Weitman called the meeting to order at 7:00 p.m. by asking Brad Barrett to lead in the Pledge of Allegiance. Mayor Weitman commended Mr. Barrett on the first-rate job and was optimistic that the City Clerk would grasp the insightfulness, reflectiveness, and intensity of Mr. Barrett's narration.

MAYOR'S COMMENTS:

- ❖ Recognized Police Officer Jim Hogue on first year anniversary with City
 - Jim was not present and certificate will be presented to him by Police Chief Filla
- ❖ Presented Dan Nasalroad with Certificate of Appreciation for his contributions to the City

CONSENT AGENDA:

City Clerk Mahon noted that the last payment for the Police Departments 2008 Chevy pick-up will be made next Monday.

✓ **Motion to Approve Consent Agenda**

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

Minutes of January 04, 2012 regular city council meeting;
Check Register: January 05 through January 18, 2012;
Budget Report: December 2011;
Treasurer Report: December 2011;
Annual Financial Statement 2011;

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

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DISCUSSION FROM THE FLOOR:

None.

REPORTS OF CITY OFFICERS:

POLICE DEPARTMENT – CHIEF PAUL FILLA

- ❖ Reported that one of the police cars needed new tires
 - Very bare and bald
 - Have been waiting for new budget year to purchase
 - Will obtain prices from different vendors before purchasing

PUBLIC WORKS DEPARTMENT – SUPERINTENDENT JIM JOHNSON

- ❖ Water Plant Computer needs upgraded
 - Computer needed to record Hach monitoring equipment information
 - The present Hach equipment requires that computer have Windows XP
 - Different version of Windows would require replacing Hach monitoring equipment
 - ◆ Cost to replace Hach = approximately \$5000
 - The cheapest option is to purchase new computer and have Windows XP installed
 - Supt. Johnson estimated the cost to be less than \$1000
 - ◆ Estimate based on computer search and short-lived purchase a few months ago
 - ◆ No new estimates had been obtained

✓ *Motion To Authorize Water Plant Computer Purchase*

Council Member Robbins moved to authorize up to one thousand dollars (\$1,000.00) to replace the computer at water plant. Motion seconded by Council Member Meisel, voted on, passed 4-0. Time: 7:08 p.m.

- ❖ Supt. Johnson reported that he is currently in talks with Hach about new ways to mix soda ash
 - Considering switching from powder to liquid
 - Eliminate handling heavy bags
 - Eliminate dust (inhalation and residue)
 - Was reporting to Council to determine if it was O.K. to pursue switching
 - Mayor Weitman noted that decision would be left to Supt. Johnson's best judgment
- ❖ Annual Sewer System Treatment
 - Chemical treatment performed annually
 - Special on chemicals if ordered early
 - Chemicals have been ordered
 - ◆ Saved approximately \$2750
 - ◆ Will treat sewers in approximately 2 months
- ❖ Recently replace fire hydrant
 - Ordered two new hydrants to have in stock
- ❖ Recently sold scrap metal
 - \$308 received
 - Sale documented by pictures and scrap tickets

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- ❖ Street Barn Holding Tank
 - City Clerk Mahon reported that must hook on to sewer if within 140 ft
 - City Council's decision whether or not to allow septic tank or holding tank in lieu of hooking to sewer main if over 140 ft.
 - Holding tanks and septic systems must comply with minimum state standards/regulations
 - ◆ City Attorney concurred with Mahon
 - ◆ Distance to city main from street barn is over 140 ft.

✓ *Motion To Authorize Sewage Holding Tank at Street Barn*

Council Member Fleming moved to authorize a sewage holding tank to serve the city's street barn. Motion seconded by Council Member Meisel, voted on, passed 4-0. Time: 7:14 p.m.

COUNCIL COMMITTEE REPORTS:

COMMUNITY BUILDING

- ❖ Council Member Shields reported that she had received a quote to repair holes in the community building ceilings from Larry Owens.
 - Cost = \$200

✓ *Motion To Repair Community Building Restroom Ceilings*

Council Member Shields moved to allow up to two hundred dollars (\$200.00) for repairs by Larry Owens to the community building restroom ceilings. Motion seconded by Council Member Meisel, voted on, passed 4-0.

PARK

- ❖ Council Member Robbins inquired about status of lights at Bittiker Park basketball court
 - Lights had been repaired and back in operation earlier this week
- ❖ Mayor Weitman reported that Chamber of Commerce was developing a "Thayer Park" committee
 - Purpose was to develop plans for land to be donated by Thayer family for park use
 - Location: Northwest Corner of intersection of Market (K-152) and Broadway
 - C of C requested that someone from City be a member of the committee
 - Council Member Shields volunteered

UNFINISHED BUSINESS:

DIVERSIFIED SEWER LAGOON PAYMENT

- ❖ Council had been presented with a contract change order that was accepted by Diversified
 - Contract Change Order Date: 12/28/11
 - Job No.: 378-207094-2
 - Revised Contract Amount = \$92,433.20

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✓ *Motion To Approve Payment to Diversified Contracting*

Council Member Fleming moved to approve payment to Diversified Contracting in the amount of ninety-two thousand four hundred thirty-three and 20/100 dollars (\$92,433.20) as per contract change order dated 12/28/11. Motion seconded by Council Member Meisel, voted on, passed 4-0. Time: 7:19 p.m.

ADVANCED AQUATICS

Tabled till next meeting.

STREET BARN SEWER CONNECTIONS

Addressed during "Reports of City Officers" – Public Works Department

NEW BUSINESS:

DOUGLAS PUMP PREVENTIVE MAINTENANCE

- ❖ Annual maintenance program
- ❖ Per Supt. Jim Johnson: Good program, recommend approving
- ❖ Cost = \$230 per pump
 - 6 pumps. Total = \$1380
- ❖ City has utilized the program in past years

✓ *Motion To Approve Douglas Pump Preventive Maintenance*

Council Member Robbins moved to approve the preventative maintenance proposal from Douglas Pump in the amount of one thousand three hundred eighty dollars (\$1380.00). Motion seconded by Council Member Fleming, voted on, passed 4-0. Time: 7:22 p.m.

KANSAS RURAL WATER ASSOCIATION CONFERENCE MAR 27-29

- ❖ Supt. Johnson noted that there would not be any employees available from public works to attend this year.
- ❖ City Attorney Sutherland requested permission to attend the Attorney Forum on March 27

✓ *Motion To Accept Public Building Commission Appointments*

Council Member Robbins moved to send Attorney Sutherland to the attorney forum portion of the rural water association conference on March 27th. Motion seconded by Council Member Shields, voted on, passed 4-0. Time: 7:24 p.m.

WAIVER OF COMMUNITY BUILDING RENT

- ❖ Iota Tau sorority requested waiver of community building rent January 29th
 - Fund raiser for Jason & Chelsie (Kettler) Stainbrook
 - Lost nearly everything in a fire on November 21st

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✓ *Motion To Waive Community Building Rent*

Council Member Shields moved to waive community building rental fees for the Jason/Chelsie Stainbrook fund raiser January 29th. Motion seconded by Council Member Fleming, voted on, passed 4-0. Time: 7:25 p.m.

REMINDER OF UPCOMING CONDEMNATION PUBLIC HEARINGS

- ❖ Mayor Weitman reminded Council of the continuance of condemnation public hearings next meeting
- ❖ Noted that Council Member Shields had tried to help one of the families
 - Had spent time identifying possible solutions and help for the family
 - Family kept turning down the offer to help
 - ◆ Mayor Weitman assumes that the family has developed a plan of their own to be presented at the continued hearing next meeting.

EXECUTIVE SESSION:

✓ *Motion To Go Into Executive Session*

Council Member Fleming moved to go into executive session for legal and personnel for up to fifty-five (55) minutes following a ten (10) minute break. Motion seconded by Council Member Meisel, voted on, passed 4-0. Time: 7:27 p.m.

Executive Session Extended

✓ *Motion To Extend Executive Session*

Council Member Fleming moved to extend the executive session for up to fifteen (15) minutes for personnel. Motion seconded by Council Member Robbins, voted on, passed 4-0. Time: 8:33 p.m.

Executive Session Extended

✓ *Motion To Extend Executive Session*

Council Member Fleming moved to extend the executive session for up to twenty (20) minutes for personnel. Motion seconded by Council Member Robbins, voted on, passed 4-0. Time: 8:48 p.m.

Open Session Resumed at 9:05 p.m.

OTHER BUSINESS:

CLARIFICATION OF CONDEMNATION PUBLIC HEARINGS CONTINUANCE

- ❖ Mayor Weitman clarified a statement he made earlier in the meeting
- ❖ The continuance of the condemnation public hearings will be February 01, 2012
 - He may have originally said March 01, 2012

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AUTHORIZATION TO SEND ALLEN HUGGINS TO KANSAS LAW ENFORCEMENT TRAINING

✓ *Motion To Send Allen Huggins to KLETC*

Council Member Robbins moved to send Allen Huggins to Kansas Law Enforcement Training commencing March 12, 2012. Motion seconded by Council Member Fleming, voted on, passed 3-1. (Opposed: Meisel) Time: 9:06 p.m.

CITY CLERK'S REPORT

Verbal: None

Written: None

NOTES AND COMMUNICATIONS TO COUNCIL:

- a] Public Hearing Notice: Zoning Regulations Parking Variance – Dollar General Stores
- b] League of Kansas Municipalities Ethics Course Announcement

ADJOURNMENT:

✓ *Motion to Adjourn Meeting*

There being no further business, **Council Member Shields moved to adjourn the meeting. Motion seconded by Council Member Meisel, voted on, Passed 4-0.** The Regular meeting was adjourned at 9:07 p.m.

I, _____
(Gary D. Mahon)

LaCygne City Clerk, do hereby declare the above to be true and correct, to the best of my knowledge, and do hereby subscribe my name this 18th day of January 2012.

February 01, 2012

REGULAR MEETING:

The La Cygne City Council met on February 01, 2012 for a regularly scheduled meeting at La Cygne City Hall. Council Members present were: Jake Fleming; Linda Meisel; Travis Robbins; Esther Shields; and Robert Sullivan. Absent: Mayor Terry Weitman.

Others in attendance included, but not limited to: City Clerk Gary Mahon; City Attorney John Sutherland; Police Chief Paul Filla; Public Works Superintendent Jim Johnson; Police Officer Tate West; Fire Chief Dan Nasalroad; Shannon Ross; Judy Kinder; Fred Meisel; Robert Turpen; Le Roy Turpen; Charlene Sims; Danny Curtis; and Debbie Higgins.

In the absence of Mayor Weitman, Council President (CP) Travis Robbins called the meeting to order at 7:00 p.m. by leading in the Pledge of Allegiance.

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MAYOR'S COMMENTS: None

CONTINUATION OF PUBLIC HEARINGS:

VAN ROSS – 402 WALNUT – GARAGE & FRONT PORCH

CP Robbins re-opened the public hearing for property located at 402 Walnut (Van Ross). The hearing had been continued from January 04, 2012. Public was invited to make comments regarding the property. Comments received, but not limited to, included:

Concerning Front Porch of Residence:

- ❖ Council President (CP) Travis Robbins:
 - Noted that January 4th hearing had been continued until tonight to give time to the Ross family to lay out a plan of action for repairs/demolition.
- ❖ Shannon Ross:
 - Have been investigating sources for a loan
 - Nothing concrete yet
 - Unsure if can get someone to do work even if loan is approved
 - Have been looking for people to do the work
 - Contacted several but none have shown up
 - Retold past history including but not limited to:
 - Hail damage
 - ◆ Exhaustion of insurance funds
 - Hired contractor left after funds all used up
 - Inability to get people to come do repairs
 - Expressed concern of getting someone to do work even if loan is approved
- ❖ CP Robbins:
 - Nothing in Place at this time to repair porch?
- ❖ Shannon Ross:
 - No.
- ❖ City Attorney Sutherland:
 - Asked Shannon if she understood that the City would give a certain amount of time to repair or the property could be closed for occupancy if repairs not made.
- ❖ Shannon Ross:
 - Yes
 - Stated that police were not of any help
 - Accused Council Member Shields of not following through on her (Shields) voluntary offer to help the Ross family find assistance in making repairs
 - Noted that she (Shannon) had rejected Shield's offer to meet at City Hall to discuss possible contractors and possible financing possibilities
 - ◆ Demanded that they meet at La Cygne Library
 - Asked what brought up the condemnation?
 - Had read recent article that indicated to her (Shannon) that City was broke
 - ◆ Why would city spend money on this condemnation if it is broke?

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- ❖ City Clerk Gary Mahon:
 - Noted that if property is condemned and the City ultimately has to make the repairs, then the City will pay the contractor or whoever makes repairs.
 - City will then send bill to cover those costs to the property owner
 - ◆ If not paid by property owner then costs will be assessed on the property tax rolls
 - Property owner will ultimately pay the condemnation costs
- ❖ Shannon Ross:
 - Stated they do not pay any taxes as Van Ross is in his nineties.
- ❖ City Clerk Mahon
 - You may not pay income tax but you definitely pay property taxes.
- ❖ Police Officer West:
 - Noted that he was asked by Codes Officer Filla to begin looking into codes violations throughout the City
 - Started by identifying the most visible, then prioritizing in relationship to safety and health
- ❖ Codes Officer/Police Chief Filla:
 - Noted that he prioritized by looking for unsafe structures
 - Noted that he was the Codes Officer in charge
- ❖ Attorney John Sutherland:
 - Told Shannon that Council needed to know how much time was needed to repair the porch
- ❖ Shannon Ross:
 - Hopefully have answer within a month.
- ❖ City Attorney Sutherland:
 - Is estimated cost to repair porch less than 50% of property value?
- ❖ Codes Office/Police Chief Filla:
 - Yes
- ❖ City Attorney John Sutherland:
 - Read section 4-207 of Article 2 of Chapter IV of the Code of the City of La Cygne
 - Section pertains to Order to Repair or Demolish

Concerning Garage (Shed)

- ❖ City Attorney Sutherland:
 - Will cost of repairs be more or less than 50% of value of garage (shed)?
- ❖ Codes Officer/Police Chief Filla:
 - More
- ❖ CP Travis Robbins asked if there were any further comments from those in attendance.
 - Shannon Ross stated she would keep trying to find ways to make repairs
- ❖ It was noted that Council Member Shields had spent many volunteer hours in trying to find ways to help the Ross family.

February 01, 2012

- It was also noted that Shields had been at City Hall at the appointed day, hour, and place to meet with the Ross family and offer possibilities for contractors and possibly financing.
- ❖ CP Robbins asked if there were any more comments from public in attendance.
 - There being no further comments, CP Robbins closed the public hearing.

✓ *Motion To Order Repair/Removal of Property at 402 Walnut*

Council Member Meisel moved to declare front porch of house and the unattached garage (shed) at 402 Walnut dangerous and unsafe in its present state and that the property owners are given until April 04, 2012 to repair or remove front porch of house and to remove the unattached garage (shed) from the premises. Motion seconded by Council Member Fleming, voted on, passed 5-0. Time: 7:24 p.m.

SANDRA WHITE – NORTHWEST CORNER OF INTERSECTION OF 4TH & LOCUST – 2 STRUCTURES

CP Robbins re-opened the public hearing for property located at northwest corner of the intersection of 4th and Locust. (Sandra White). The hearing had been continued from January 04, 2012. Public was invited to make comments regarding the property. Comments received, but not limited to, included:

- ❖ Codes Officer/Police Chief Paul Filla:
 - Reported that Justin Neiman, spokesman for the property owner, had visited with him on February 01, 2012 and stated:
 - The white trailer would be removed by March 01, 2012
 - The other structure would be repaired and re-sided within 60 days (May 1st).

City Attorney John Sutherland:

Noted that Council has three (3) options

1. Dismiss; 2. Continue; or 3. Give order to repair or demolish

✓ *Motion To Adjourn Hearing To March 07, 2012*

Council Member Robbins moved to adjourn the public hearing to the first regularly scheduled city council meeting in March (March 07, 2012). Motion seconded by Council Member Meisel, voted on, passed 5-0. Time: 7:28 p.m.

JEREMY JOHNSON – 401 CHESTNUT - GARAGE

CP Robbins re-opened the public hearing for property located at 401 Chestnut (Jeremy Johnson). The hearing had been continued from January 04, 2012. Public was invited to make comments regarding the property. Comments received, but not limited to, included:

- ❖ Codes Officer/Police Chief Paul Filla:
 - Reported that the garage had been torn down.
 - The original problem is no longer existent
 - Satisfied with terms of condemnation
- ❖ City Clerk Mahon:
 - Could the condemnation proceedings be dismissed?

February 01, 2012

- ❖ Codes Officer/Police Chief Filla:
 - Yes, however the debris is not totally hauled off yet
 - Property owners continue to work on the clean up

✓ *Motion To Adjourn Hearing To February 15, 2012*

Council Member Meisel moved to adjourn the public hearing to the next regularly scheduled city council meeting in February (February 15, 2012) thus allowing property owners additional time to remove the debris. Motion seconded by Council Member Shields, voted on, passed 5-0. Time: 7:32 p.m.

CONSENT AGENDA:

- ✓ *Motion to Approve Consent Agenda*

Council Member Meisel moved to approve the consent agenda which consisted of:
Minutes of January 18, 2012 regular city council meeting;
Check Register: January 19 through February 01, 2012;
Motion seconded by Council Member Fleming, voted on, passed 5-0. Time: 7:33 p.m.

DISCUSSION FROM THE FLOOR:

None.

REPORTS OF CITY OFFICERS:

CITY ATTORNEY – JOHN SUTHERLAND

- ❖ City Attorney Sutherland reported on Advanced Aquatics
 - Information received from Bob Milhouser of Advanced Aquatics
 - Majority of drilling permits are in Franklin, Johnson, and Coffee counties
 - Presently testing with portable drills
 - Mostly west of Wichita
 - City of La Cygne cannot sell affluent from sewer lagoons
 - Water comes from river and must return to river
 - ◆ Wells, aquifers, and reservoirs do not fall under same regulation
 - City's excess water rights would qualify to allow sales of water
 - No restriction on usage
 - Suggested waiting until after our water damages trial in February before proceeding with any contract negotiations
 - City of Humboldt investigating water sales also

POLICE DEPARTMENT – CHIEF PAUL FILLA

- ✓ Updated Council on County's progress in converting radios to new frequency
 - Was assured that County would give 30 days notice

PUBLIC WORKS DEPARTMENT – SUPERINTENDENT JIM JOHNSON

- ❖ Water Leak at Railroad tracks on Swan Street
 - Have isolated the leak by installing valves on either side of leak
 - Need to replace line under track – Will require boring
 - Have contacted some boring companies
 - City Clerk is attempting to contact Railroad about boring under tracks

February 01, 2012

- ◆ Two messages left with Road Master but no response
 - Chief of Police will attempt to contact tomorrow
- Estimated cost to bore and repair line around \$6,000.00
- Need to replace line as the only other line under tracks is on Market street

✓ *Motion To Authorize Expenditures on Water Leak at Swan and Railroad tracks*

Council Member Meisel moved to authorize expenditures up to seven thousand dollars (\$7,000.00) for repairs and boring of water line at railroad tracks and Swan Street. Motion seconded by Council Member Shields, voted on, passed 5-0. Time: 7:51 p.m.

- ❖ Pump has been ordered to complete process of converting soda ash mixing from powder to liquid
- ❖ Requests for natural gas hook-up on Henson Line
 - Two requests. One of which is 1780 ft. off of the road
 - Both requests near Fontana
 - Both properties on west side of Hedge Lane Road
 - Meters are on east side of road
 - Supt. Johnson suggested:
 - All costs be responsibility of customer
 - ◆ Boring, Permits, ditches, trenching, etc.
 - Keep meters on east side of road
 - ◆ Customer then responsible for expenses related to line underneath road
 - Supt. Johnson expressed concern about the property that is 1780 ft. off the road
 - The gas committee will investigate and report recommendation at next council meeting
- ❖ Posts (10 ft.) have been ordered to begin process of making "Stop" signs uniform height throughout the City.
 - Will order and install ten posts at a time

FIRE CHIEF – DAN NASALROAD

- ❖ Will be reprogramming some of the radios starting tomorrow
- ❖ Asked permission to attend the Pipeline Safety Course on February 9th at Ottawa, Ks
 - Supt. Jim Johnson and Police Chief Paul Filla would like to attend also
 - No registration costs.

✓ *Motion To Authorize Attendance at Pipeline Safety Course*

Council Member Meisel moved to authorize Dan Nasalroad, Jim Johnson, & Paul Filla to attend the Pipeline Safety Course in Ottawa, Ks on February 9, 2012. Motion seconded by Council Member Shields, voted on, passed 5-0. Time: 8:03 p.m.

COUNCIL COMMITTEE REPORTS:

COMMUNITY BUILDING

- ❖ Council Member Meisel:
 - Noted that Smith Appliance had made adjustments to the cook stove and ovens in the kitchen

Record of the Proceedings of the Governing Body
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Year = 2012

February 01, 2012

- ❖ Dan Nasalroad inquired about the missing outlet covers
 - Covers were removed during painting project and not all were put back on
 - Some were misplaced
 - Dan will purchase some more and install

UNFINISHED BUSINESS:

ADVANCED AQUATICS

Covered during City Officers Reports: John Sutherland

NEW BUSINESS:

CEMETERY TREE PLANTING

- ❖ Purchase Trees to Replace Trees That Have Died or are Dying in Oaklawn Cemetery?
 - Caretaker Dan Nasalroad not in favor
 - Council Member Meisel and Shields appreciate trees that are there
 - Makes the Cemetery more appealing
 - City Clerk Mahon: What do people in community prefer?
 - Cemetery Committee will meet with Oak Lawn Society Ladies and report back

MIKE NIERMAN: C-3 CABLE (MARTELL CABLE Mr. Nierman did not show.

COMMUNITY BUILDING RENTAL: JOE/TERESA WHITAKER

- ❖ Joe and Teresa Whitaker asked for waiver or reduction in community building rent
 - Having household auction on Feb 25th
 - Will use Community Building if inclement weather
 - Want to reserve building for entire week prior to Feb 25th
 - Allows time to move items
- ❖ Council noted that the building was set aside for Cub Scout Garage Sale
 - Cub Scouts are non-profit community service organization
- ❖ Council noted that Fire Works stand pays daily rental fees for use of building
- ❖ Council reluctant to set new precedent and advised that full applicable rental fees would apply

TWISTERS WRESTLING CLUB DONATION REQUEST

- ❖ Linn County Twisters Wrestling Club asked Council to consider donation to help fund its annual tournament
 - Council contributed \$200 last year
 - City Clerk Mahon noted there was ample money in the Park/Recreation fund to handle a contribution
 - The annual \$1200 contribution from Linn County could be applied also

Record of the Proceedings of the Governing Body
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✓ *Motion To Donate to Linn County Twisters Wrestling Club*

Council Member Shields moved to donate two hundred dollars (\$200.00) to the Linn County Twisters Wrestling Club. Motion seconded by Council Member Fleming, voted on, passed 5-0. Time: 8:12 p.m.

EXECUTIVE SESSION:

✓ *Motion To Go Into Executive Session*

Council Member Fleming moved to go into executive session for legal and personnel for up to twenty (20) minutes following a ten (10) minute break. Motion seconded by Council Member Meisel, voted on, passed 5-0. Time: 8:14 p.m.

Others requesting time or invited into portions of the executive sessions included (but not limited to): Fire Chief Dan Nasalroad; City Clerk Gary Mahon; Public Works Superintendent Jim Johnson.

Executive Session Extended

✓ *Motion To Extend Executive Session*

Council Member Fleming moved to extend the executive session for up to fifteen (15) minutes for personnel. Motion seconded by Council Member Shields, voted on, passed 5-0. Time: 8:44 p.m.

Executive Session Extended

✓ *Motion To Extend Executive Session*

Council Member Robbins moved to extend the executive session for up to fifteen (15) minutes for personnel. Motion seconded by Council Member Fleming, voted on, passed 5-0. Time: 8:59 p.m.

Executive Session Extended

✓ *Motion To Extend Executive Session*

Council Member Meisel moved to extend the executive session for up to fifteen (15) minutes for personnel. Motion seconded by Council Member Robbins, voted on, passed 5-0. Time: 9:14 p.m.

Executive Session Extended

✓ *Motion To Extend Executive Session*

Council Member Fleming moved to extend the executive session for up to five (5) minutes for personnel. Motion seconded by Council Member Robbins, voted on, passed 5-0. Time: 9:29 p.m.

Open Session Resumed at 9:33 p.m.

February 01, 2012

OTHER BUSINESS:

DAN NASALROAD TO FULL TIME PUBLIC WORKS EMPLOYEE

✓ *Motion To Hire Dan Nasalroad As Full Time Public Works Employee*

Council Member Meisel moved to hire Dan Nasalroad as a full time public works employee at twelve and 50/00 dollars per hour (\$12.50/hr) starting February 02, 2012. Motion seconded by Council Member Shields, voted on, passed 5-0. Time: 9:35 p.m.

CITY CLERK'S REPORT

Verbal: None

Written: None

NOTES AND COMMUNICATIONS TO COUNCIL:

None

ADJOURNMENT:

✓ *Motion to Adjourn Meeting*

There being no further business, **Council Member Meisel moved to adjourn the meeting. Motion seconded by Council Member Shields, voted on, Passed 5-0.** The Regular meeting was adjourned at 9:36 p.m.

I, _____
(Gary D. Mahon)

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 2012.

February 15, 2012

REGULAR MEETING:

The La Cygne City Council met on February 15, 2012 for a regularly scheduled meeting at La Cygne City Hall. Council Members present were: Jake Fleming; Linda Meisel; Travis Robbins; Esther Shields; and Robert Sullivan. Absent: Mayor Terry Weitman.

Others in attendance included, but not limited to: City Clerk Gary Mahon; City Attorney John Sutherland; Police Chief Paul Filla; Public Works Superintendent Jim Johnson; Charlene Sims; Judy Kinder; Robert Turpen; Attorney Mike Shultz; and LeRoy Turpen.

In the absence of Mayor Weitman, Council President (CP) Travis Robbins called the meeting to order at 7:00 p.m. by leading in the Pledge of Allegiance.

MAYOR'S COMMENTS: None

Record of the Proceedings of the Governing Body
REGULAR MEETING

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February 15, 2012

CONSENT AGENDA:

- ❖ Council Member Meisel questions:
 - Check 15613 to Kansas State Treasurer \$164.50 for Reinstatement Fees
 - Answer: These are fees due to the state for fines paid by citizens to the City of Lacygne
 - Check 15623 to The Consortium, Inc. \$127.35 Why charged to gas fund?
 - Answer: K.C.C. requires drug program due to our natural gas lines.

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

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

Minutes of February 01, 2012 regular city council meeting;
Check Register: February 02 through February 15, 2012;
Treasurer Report: January 2012
Budget Report: January 2012

Motion seconded by Council Member Fleming, voted on, passed 5-0.

DISCUSSION FROM THE FLOOR:

None.

REPORTS OF CITY OFFICERS:

POLICE DEPARTMENT – CHIEF PAUL FILLA

- ❖ Noted that Doug Barlet of Linn County Emergency Management will program our radios to narrow band at no charge
 - Substantial savings
- ❖ Have ordered 4 cameras for police vehicles from Kansas Surplus
 - Cost = \$25 per camera as opposed to spending \$4,000 for new cameras
 - State Highway Patrol will deliver to us

PUBLIC WORKS DEPARTMENT – SUPERINTENDENT JIM JOHNSON

- ❖ Repair of water line at Railroad crossing and Swan street.
 - Will be a more expensive project than first thought
 - Railroad requiring permits
 - City Clerk Mahon noted:
 - ◆ \$600 application fee
 - ◆ \$3000 permit fee (good for 25 years)
 - ◆ \$1000 for Railroad Liability Protection Insurance
 - Water line must be encased
 - Will add several hundred dollars to cost
 - Waiting on information for encasement pipe before application can be sent to railroad
- ❖ New snow plow worked well during the recent 2" snow
- ❖ Attended a Meth Lab Seminar sponsored by the Fire Department
 - Good seminar

February 15, 2012

- ❖ Asset Management Workshop for Utilities Seminar
 - Iola, Kansas February 29th
 - Registration = No Charge
 - 5 credit hours
 - Would like for Jerome Moore and himself to attend

- ❖ Reported on behalf of Fire Chief Nasalroad that the heater at 1st Street Fire Station had broken
 - Repairman reported that it was too far gone to repair
 - Have been trying to gather prices but have not been able to put together for tonight's meeting
 - Noted that building needed heat to prevent freeze-ups
 - Asked what procedure to take to approve expenditure after receiving pricing information

✓ *Motion To Authorize Safety Committee to Approve Fire Station Heater Purchase*

Council Member shields moved to authorize the Safety Committee (Meisel & Robbins) to approve expenditure for Fire Station Heater after reviewing price quotes when they become available. Motion seconded by Council Member Sullivan, voted on, passed 5-0. Time: 7:15 p.m.

✓ *Motion To Authorize Attendance at Asset Management Workshop*

Council Member Fleming moved to authorize Jerome Moore and Jim Johnson to attend the Asset Management Workshop for Utilities in Iola, Kansas on February 29, 2012. Motion seconded by Council Member Meisel, voted on, passed 5-0. Time: 7:16

COUNCIL COMMITTEE REPORTS:

CEMETERY

- ❖ Council Member Meisel reported that the cemetery committee would soon meet with ladies of Oak Lawn Cemetery Society to discuss tree plantings, etc.

COMMUNITY BUILDING

- ❖ Covers on outlets and switches have been replaced.

- ❖ Council Member Sullivan inquired as to digging next to intersection at Broadway & Swan
 - Public Works had been trying to locate valve to control water flow related to leak at railroad tracks and Swan

SPECIAL COMMITTEE REPORTS

SWAN FEST

- ❖ Council President Robbins relayed information from Rhonda Mathews
 - Investigating possibility of hosting a "Warrior Race"
 - Checking on insurance requirements

- ❖ Investigating possibility of setting up Web-Site or doing a page on the City's site

February 15, 2012

UNFINISHED BUSINESS:

ADDITION OF HENSON LINE GAS CUSTOMERS

- ❖ Superintendent Johnson reported that we now have 4 potential new customers
 - All would require road bores
 - Supt. Johnson suggested that property owners absorb total cost of installation
 - Questioned as to who is responsible for maintenance
 - ◆ Could city collect for maintenance expense
 - Or does present ordinance dictate it is City's responsibility?
 - ◆ Can we get contractor to do repairs?
 - ◆ Does it make economic sense to add these customers?
 - Gas Committee will do some more investigating and report at next meeting

NEW BUSINESS:

RESOLUTIONS No. 350 & No. 351

- ❖ New resolutions pertaining to property owned by Van Ross and Sandra White were presented for Council Consideration
 - New resolutions were required because proper notification of the original condemnation resolutions was not given
 - Original resolutions were published only one time (November 23, 2011)
 - Statutes require that condemnation resolutions be published two times

✓ *Motion To Approve Resolution No. 350 – Condemnation of Property at 402 Walnut – Van Ross*

Council Member Shields moved to approve Resolution No. 350. Motion seconded by Council Member Meisel, voted on, passed 5-0. Time: 7:39 p.m.

✓ *Motion To Approve Resolution No. 351 – Condemnation of Property at NW Corner of Intersection of 4th & Locust – Sandra White*

Council Member Shields moved to approve Resolution No. 351. Motion seconded by Council Member Meisel, voted on, passed 5-0. Time: 7:39 p.m.

MUNICIPAL LEADERSHIP ACADEMY

Ethics Class – February 24th at Gardner, KS
Registration: \$75
Council Member Sullivan asked to attend

✓ *Motion To Authorize Attendance at Ethics Course of Municipal Leadership Academy*

Council Member Meisel moved to allow Council Member Sullivan to attend the Municipal Leadership Academy at Gardner, Kansas on February 29, 2012 with City to pay registration and mileage. Motion seconded by Council Member Shields, voted on, passed 5-0. Time: 7:42 p.m.

February 15, 2012

MIKE NIERMAN: C-3 CABLE (MARTELL CABLE)

- ❖ City Clerk Mahon noted that Mr. Nierman had requested to be placed on the agenda
 - Clerk Mahon was absent when Mr. Nierman was at City Hall and the request was made to City Treasurer Linda Elder
- ❖ Mr. Nierman did not show for the meeting

REPORTS OF CITY OFFICERS:

FIRE DEPARTMENT – CHIEF DAN NASALROAD

- ❖ Fire Chief Nasalroad arrived at the meeting
 - Had been assisting with reported accident and subsequent fire of Rural Fire Truck
 - Announced that Rural Fire Rescue Truck had caught fire and was now out of service
 - ◆ City Engine # 3 will assist Rural Fire in responding to structure fires and ambulance calls in the interim
- ❖ Council Member Sullivan inquired about possible lowering of ISO fire ratings
 - Chief Nasalroad noted that in the event ISO ratings are lowered it will still be up to individual home owners to contact their insurance companies about having premiums adjusted
 - Premiums are not automatically lowered

EXECUTIVE SESSION:

✓ *Motion To Go Into Executive Session*

Council Member Fleming moved to go into executive session for legal and personnel for up to fifty (50) minutes. Motion seconded by Council Member Sullivan, voted on, passed 5-0.

Time: 7:48 p.m.

In addition to the Mayor, Council Members and City Attorney, others requesting time or invited into portions of the executive sessions included (but not limited to): Attorney Mike Shultz; City Clerk Gary Mahon; and Police Chief Paul Filla.

Open Session Resumed at 8:38 p.m.

OTHER BUSINESS:

ADVERTISE FOR CEMETERY CARETAKER

- ❖ Council instructed City Clerk Mahon to advertise for a part-time cemetery caretaker
 - Publish in papers one week
 - Mahon will also post on City's Website, facebook page, and flyers around town
 - Supt. Johnson noted that Public Works may need help while Lisa Elmore is away on maternity leave
 - Caretaker might be asked to assist public works

February 15, 2012

CITY CLERK'S REPORT

- ❖ Noted that the Board of Zoning Appeals approved a parking variance request for the proposed Dollar General store.
 - The variance reduces number of parking spaces from 41 to 30
- ❖ City has approved the building permit
- ❖ Dollar General is dealing directly with KDOT on driveway entrance onto K-152
- ❖ Will take approximately 90 days for completion after construction commences

Written: None

NOTES AND COMMUNICATIONS TO COUNCIL:

- a] Minutes: Park Board – January 26, 2012
- b] Report of City Web Site Views

ADJOURNMENT:

✓ *Motion to Adjourn Meeting*

There being no further business, **Council Member Meisel moved to adjourn the meeting. Motion seconded by Council Member Shields, voted on, Passed 5-0.** The Regular meeting was adjourned at 8:46 p.m.

I, _____ LaCygne City Clerk, do hereby declare the
(Gary D. Mahon) above to be true and correct, to the best of my knowledge, and do hereby subscribe my name this 15th day of February 2012.

March 07, 2012

REGULAR MEETING:

The La Cygne City Council met on March 07, 2012 for a regularly scheduled meeting at La Cygne City Hall. Council Members present were: Jake Fleming; Linda Meisel; Travis Robbins; Esther Shields; and Robert Sullivan.

Others in attendance included, but not limited to: City Clerk Gary Mahon; City Attorney John Sutherland; Police Chief Paul Filla; Public Works Superintendent Jim Johnson; Fire Chief Dan Nasalroad; Police Officer Cindy Gillispie; Le Roy Turpen; Fred Meisel; Judy Kinder; Danny Curtis; Jerome Mitzner; Brad Barrett; Charlene Sims; Tori Shultz; and Mike Shultz.

Mayor Terry Weitman called the meeting to order at 7:00 p.m. by asking City Clerk Mahon to lead in the Pledge of Allegiance.

March 07, 2012

MAYOR'S COMMENTS:

- ❖ Daylight Savings Time starts next Sunday
- ❖ Cub Scouts Pinewood Derby: March 31st
 - Challenged Council Members to Purchase Car and Enter Contest
- ❖ Cindy Gillispie introduced as newest police officer
- ❖ Noted recent "Letters To Editor" in Linn County News from local resident
 - Commending Officers Gillispie and West for good service

CONSENT AGENDA:

City Clerk Gary Mahon noted payments to Kansas Dept. of Health & Environment of \$19,263.10 for sewer revolving loan payments and payment to Kansas State Treasurer of \$7748.75 for interest on the 2002 water improvement bonds.

✓ **Motion to Approve Consent Agenda**

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

Minutes of February 15, 2012 regular city council meeting;
Check Register: February 16 through March 07, 2012;
Treasurer Report: February 2012;
Budget Report: February 2012.

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

DISCUSSION FROM THE FLOOR: None.

REPORTS OF CITY OFFICERS:

POLICE DEPARTMENT – CHIEF PAUL FILLA

- ❖ Noted that car cameras from state highway patrol surplus had arrived
 - 4 Cameras for \$25 each
 - A camera was on display for Council to review
- ❖ V.I.N Inspections
 - Licensed and ready-to-go
 - City will provide inspection services 7 days a week
 - Provided officers are scheduled to be on duty
 - Fee = \$15 but will raise to \$20 later in the year
- ❖ Noted that stats for February police activities were included with Council's Blue Sheets at their table

PUBLIC WORKS DEPARTMENT – SUPERINTENDENT JIM JOHNSON

- ❖ Status of water line bore under railroad at Swan Street
 - City Clerk Mahon noted that Supt. Johnson had previously presented some information that was forwarded to City Attorney for review
 - Supt. Johnson had previously noted it would be O.K. to wait until this council meeting to address the information
 - Will be addressed in executive session - legal

March 07, 2012

- ❖ Stihl Chain Saw
 - Public Works does not use a particular Stihl Chain Saw
 - Keep having to repair
 - Would like to turn over to fire department
 - Will provide serial number to City Clerk to note the transfer to the fire department

- ❖ Linda Meisel: noted that a new sign had been erected facing north bound traffic as they entered 9th street from the private drive of fire station located in industrial park
 - Sign reminds it is illegal to enter 9th at this location except for emergency vehicles

FIRE CHIEF – DAN NASALROAD

- ❖ Fire Chief noted lots of fire calls throughout county on March 6th
 - Extremely Windy
 - 3 Structures and 10 Grass
 - Linn Valley assisted

- ❖ Noted that the City did not lend a truck to Rural Fire
 - Per mutual aid agreement the City will be 1st truck out to assist rural fire with fires and accidents until the rural fire department's rescue truck is repaired

- ❖ New heater has been installed at the 1st street fire station

- ❖ Storm Watch Class 7:00 p.m., March 19th, at Prairie View High School

- ❖ Rescue Management: Drills with County Fire Department

- ❖ CPR Classes March 24th
 - 8 am and 1 pm at Fire Station

COUNCIL COMMITTEE REPORTS:

CEMETERY

- ❖ Council Member Meisel reported that a meeting was held with the Oak Lawn Cemetery Ladies Society
 - Cemetery ladies will make suggestions/recommendations regarding planting of trees
 - Trees will not be ordered until later date for fall planting

PUBLIC SAFETY

- ❖ Council Member Sullivan inquired about project of placing stop signs at uniform height
 - Supt. Johnson noted that posts were on back order again

COMMUNITY BUILDING

- ❖ Regarding distribution of food through Harvesters, Council Member Shields read the following prepared statement:

March 07, 2012

"We received word that stated if a non-profit organization did not pick up Harvesters hand out of food at Stillwell on February 28th La Cygne would lose this food that is so needed in our community. The Calvary Baptist Church has recently organized a group called the Community Outreach which is to serve those in need. I am a member of that group. We called in friends and the food was picked up and distributed to over 65 families that evening at the Community Building.

I am asking the council to waive the normal charge for the use of the building as this was all volunteer people serving for the good of the community.

At this time the distribution has gone back to the original group. Thank you."

✓ *Motion To Waive Community Building Charges for Harvesters Distribution*

Council Member Robbins moved to waive the community building fees for Harvesters. Motion seconded by Council Member Sullivan, voted on, passed 5-0. Time: 7:19 p.m.

- ❖ Council Member Sullivan noted that we were back to square one on restroom ceiling repair
 - The original carpenter is not presently available
- ❖ City Clerk Gary Mahon noted of request to waive community building fees to hold benefit for the Mark and Lisa Isbell family who lost everything in a fire this week
 - New Life Baptist Church is planning the benefit
 - Date not yet set

✓ *Motion To Waive Community Building Charges for Isbell Family Benefit*

Council Member Shields moved to waive the community building fees for Isbell family fire benefit. Motion seconded by Council Member Meisel, voted on, passed 5-0. Time: 7:20 p.m.

SPECIAL COMMITTEE REPORTS:

SWAN FEST

- ❖ Council Member Sullivan asked if the Swan Fest Committee has authority to pick out a beneficiary for a donation if the Swan Fest turns a profit
 - Consensus of Council Members that the committee come to Council with their ideas for endorsement

UNFINISHED BUSINESS:

ADDITION OF HENSON LINE GAS CUSTOMERS

- ❖ Supt. Jim Johnson recommended that City absolutely not absorb any costs of providing service
 - Noted that it would be expensive for the customers if City did not have equipment to make repairs and work had to be contracted out
- ❖ Council Member Robbins suggested we wait until hearing again from some of the property owners who had inquired about service

March 07, 2012

NEW BUSINESS:

AFTER PROM DONATION REQUEST

✓ *Motion To Donate to Prairie View After Prom Committee*

Council Member Robbins moved to donate one hundred fifty dollars (\$150.00) to the Prairie View After Prom Committee. Motion seconded by Council Member Fleming, voted on, passed 5-0. Time: 7:27 p.m.

EXECUTIVE SESSION:

✓ *Motion To Go Into Executive Session*

Council Member Fleming moved to go into executive session for legal and personnel for up to eighty (80) minutes. Motion seconded by Council Member Robbins, voted on, passed 5-0. Time: 7:28 p.m.

In addition to the Mayor, Council Members, and City Attorney, others requesting time or invited into portions of the executive sessions included (but not limited to): City Clerk Gary Mahon; Public Works Superintendent Jim Johnson; and Attorney Mike Shultz.

Executive Session Extended

✓ *Motion To Extend Executive Session*

Council Member Fleming moved to extend the executive session for up to thirty-five (35) minutes for personnel and legal. Motion seconded by Council Member Shields, voted on, passed 5-0. Time: 8:48 p.m.

Open Session Resumed at 9:17 p.m.

OTHER BUSINESS:

CAPITAL IMPROVEMENT PLAN

Council Member Meisel suggested that the Capital Improvement Plan project be restarted

✓ *Motion To Hold Capital Improvement Plan Workshop*

Council Member Meisel moved to hold a workshop for purpose of establishing a Capital Improvement Plan at 6:00 p.m., Wednesday, March 14th at City Hall. Motion seconded by Council Member Robbins, voted on, passed 5-0. Time: 9:22 p.m.

CITY CLERK'S REPORT

Verbal: None

Written: None

March 07, 2012

NOTES AND COMMUNICATIONS TO COUNCIL:

- a] Emergency Management Meeting Agenda;
- b] Dog/Cat Vaccination Announcement;
- c] Remove Flowers From Cemetery – Announcement;
- d] Thank You from Mine Creek Amateur Radio Club;
- e] Minutes of December 08, 2011 Planning Commission;
- f] Minutes of February 09, 2012 Zoning Appeals Board;
- g] Minutes of February 2012 Chamber of Commerce;

ADJOURNMENT:

✓ *Motion to Adjourn Meeting*

There being no further business, **Council Member Meisel moved to adjourn the meeting. Motion seconded by Council Member Shields, voted on, Passed 5-0.** The Regular meeting was adjourned at 9:24 p.m.

I, _____ LaCygne City Clerk, do hereby declare the
(Gary D. Mahon) above to be true and correct, to the best of my
knowledge, and do hereby subscribe my name
this 7th day of March 2012.

March 21, 2012

REGULAR MEETING:

The La Cygne City Council met on March 21, 2012 for a regularly scheduled meeting at La Cygne City Hall. Council Members present were: Jake Fleming; Linda Meisel; Travis Robbins; Esther Shields; and Robert Sullivan.

Others in attendance included, but not limited to: City Clerk Gary Mahon; City Attorney John Sutherland; Police Chief Paul Filla; Public Works Superintendent Jim Johnson; Fire Chief Dan Nasalroad; Police Officer Cindy Gillispie; Le Roy Turpen; Charlene Sims; Robert Turpen; and Judy Kinder.

Mayor Terry Weitman called the meeting to order at 7:00 p.m. by asking Council Member Fleming to lead in the Pledge of Allegiance.

MAYOR'S COMMENTS:

- ❖ Noted Art Terry's Upcoming Retirement
 - Art's last day will be March 25th
 - Worked for City for total of 8.5 years
 - Appreciate Art's contributions to City of La Cygne

March 21, 2012

- ❖ Noted a letter that appeared in today's Letter To Editor in Linn County News
 - Greg Christiansen of rural Parker House Fire
 - Commended Fire Departments of La Cygne, Parker, and Centerville for response and action
 - House was saved

CONSENT AGENDA:

City Clerk Gary Mahon noted payment to Linn County Insurance of \$33,870. This is an approximate 10% increase as a result of property coverage. According to Linn County Insurance, all cities are being hit with similar increases. Mahon suggested reviewing our amounts of coverage.

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

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

Minutes of March 07, 2012 regular city council meeting;
Check Register: March 08 through March 21, 2012;

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

DISCUSSION FROM THE FLOOR: None

REPORTS OF CITY OFFICERS:

POLICE DEPARTMENT – CHIEF PAUL FILLA

- ❖ Attendance at Linn County Narrow Banding compliance seminar
 - Paul, Dan Nasalroad, and Jim Johnson attended
 - City Radios are ready for the change-over to narrow banding
 - Doug Barlet will program when County is ready
 - City is compliant with all licenses
 - Discussion concerning the ability to remotely set off city sirens when change over occurs
 - Will review city sirens at a later date

PUBLIC WORKS DEPARTMENT – SUPERINTENDENT JIM JOHNSON

- ❖ Reported on railroad bore at Swan Street
 - Encountering more difficulties to get project started
- ❖ Recent Sewer line blockage
 - Called in camera
 - 9ft root was removed from City's Main
- ❖ Cemetery mowing is way behind
 - Dan & Jim tried to catch it up some today
 - Rained Out

CITY ATTORNEY – JOHN SUTHERLAND

- ❖ Deed from Thayer Family to City of La Cygne has been filed
 - Lot 1, Block 27 – Broadway & Market
 - Land to be used for Chamber of Commerce Park project

March 21, 2012

FIRE CHIEF – DAN NASALROAD

- ❖ Reminder of Cub Scouts Pinewood Derby and Spaghetti Supper March 31st
- ❖ CPR Classes Saturday, March 24th at Fire Station
- ❖ Reminder to change batteries in smoke detectors

- ❖ Requested Permission to attend Firefighter’s Association Annual Conference
 - April 25th – 28th at McPherson, KS
 - Registration = \$75 per delegate
 - Request for Dan Nasalroad and J.K. Fleming

✓ *Motion To Authorize Attendance At Firefighter’s Association Annual Conference*

Council Member Robbins moved to send Dan Nasalroad and J.K. Fleming to the Kansas State Firefighter’s Association April 25 thru 28. Motion seconded by Council Member Shields, voted on, passed 4-0-1. Abstained: Fleming; Time: 7:13 p.m.

COUNCIL COMMITTEE REPORTS:
CEMETERY

- ❖ Council Member Meisel reported that she and Esther Shields had reviewed cemetery caretaker applicants and narrowed to five and would review with Council during executive session.

COMMUNITY BUILDING

- ❖ Council Member Sullivan reported that the Community Building roof leaked during this past rain.

SPECIAL COMMITTEE REPORTS: None

UNFINISHED BUSINESS:

CAPITAL IMPROVEMENT PLAN

✓ *Motion To Hold Capital Improvements Plant Workshop*

Council Member Shields moved to hold a Capital Improvement Plans Workshop at 5:30 p.m. on April 09, 2012 at City Hall. Motion seconded by Council Member Meisel, voted on, passed 5-0. Time: 7:19 p.m.

NEW BUSINESS:

HARVEYVILLE TORNADO DONATION

- ❖ City Clerk Mahon reported that Harveyville, Kansas was seeking help in their recovery efforts from a recent tornado.
 - 40% to 60% of town is destroyed
 - Population 236
 - Financial Assistance Needed
 - Unplanned Emergency Expenses
 - Utility Receipts Down
 - ◆ Hard to make bond payments and loan payments that are tied to utility revenue

Record of the Proceedings of the Governing Body
REGULAR MEETING

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March 21, 2012

✓ *Motion To Donate to City of Harveyville Tornado Assistance*

Council Member Shields moved to donate five hundred dollars (\$500.00) to City of Harveyville to assist with Tornado damage. Motion seconded by Council Member Sullivan, voted on, passed 3-2. Opposed: Robbins & Meisel Time: 7:27 p.m.

EXECUTIVE SESSION:

✓ *Motion To Go Into Executive Session*

Council Member Fleming moved to go into executive session for legal and personnel for up to thirty (30) minutes. Motion seconded by Council Member Meisel, voted on, passed 5-0. Time: 7:24 p.m.

In addition to the Mayor, Council Members, and City Attorney, others requesting time or invited into portions of the executive sessions included (but not limited to): City Clerk Gary Mahon.

Open Session Resumed at 7:55 p.m.

OTHER BUSINESS: None

CITY CLERK'S REPORT

Verbal: None

Written: None

NOTES AND COMMUNICATIONS TO COUNCIL:

- a] Minutes: Park Board – February 23rd
- b] Minutes: Planning Commission – March 8th
- c] Minutes: Chamber of Commerce – March 14th
- d] Notice of Public Hearing April 12th: Rezone 601 Market – Freeman Thomas
- e] Civility & Public Service Webinar
- f] Copy of Letter to Editor thanking Fire Dept.

ADJOURNMENT:

✓ *Motion to Adjourn Meeting*

There being no further business, **Council Member Meisel moved to adjourn the meeting. Motion seconded by Council Member Robbins, voted on, Passed 5-0.** The Regular meeting was adjourned at 7:57 p.m.

I, _____
(Gary D. Mahon)

LaCygne City Clerk, do hereby declare the above to be true and correct, to the best of my knowledge, and do hereby subscribe my name this 21st day of March 2012.

April 04, 2012

REGULAR MEETING:

The La Cygne City Council met on April 04, 2012 for a regularly scheduled meeting at La Cygne City Hall. Council Members present were: Jake Fleming; Linda Meisel; Travis Robbins; Esther Shields; and Robert Sullivan.

Others in attendance included, but not limited to: City Clerk Gary Mahon; City Attorney John Sutherland; Police Chief Paul Filla; Public Works Superintendent Jim Johnson; Fire Chief Dan Nasalroad; Police Officer Cindy Gillispie; Le Roy Turpen; Robert Turpen; Fred Meisel; Judy Kinder; Danny Curtis; Charlene Sims; and Mike Shultz.

Mayor Terry Weitman called the meeting to order at 7:00 p.m. by asking Fire Chief Dan Nasalroad to lead in the Pledge of Allegiance.

MAYOR'S COMMENTS:

- ❖ Easter Egg Hunt 10:00 a.m., Saturday, April 07 at Community Park;
- ❖ Read Thank You from Linn County Twisters Wrestlers for recent donation;
- ❖ Bragged about his car entry in Cub Scout's Pinewood Derby being able to outrun the police entry
 - Somewhat subdued about his car being eliminated in second round

PUBLIC HEARINGS:

CONDEMNATION – VAN ROSS 402 WALNUT

Mayor Terry Weitman called the hearing to order at 7:04 p.m. Purpose of hearing was to receive comments and questions regarding condemnation of shed and front house porch at 402 Walnut. The property is owned by Van Ross.

A public hearing had previously been held on January 04, 2012. Due to the notice of the January 04, 2012 hearing being published only one time, a new hearing was scheduled for April 04, 2012. Proper notification was given of the April 04, 2012 hearing.

- ❖ Neither Van Ross nor someone to represent him was in attendance
- ❖ A letter had been received from his daughter Shannon Ross
 - Mayor Weitman summarized the letter noting that Shannon would not be able to attend
- ❖ City Clerk Gary Mahon noted that notes in the January 04, 2012 City Council Meeting Minutes were included in Council's packet and would be made an official part of tonight's hearing
- ❖ Codes Officer Paul Filla Noted:
 - Some progress has been made to remedy the deficiencies
 - Property owners have contacted someone to do the work
 - Some work done on porch
 - No remedial work on shed thus far
 - Noted that property owners stated they will tear down house porch
 - Cheaper than renovating
- ❖ Attorney John Sutherland asked:
 - Is porch still a hazard?
 - Codes Officer Filla: Yes
 - Will cost of repairing porch be less than 50% of what property is worth?
 - Codes Officer Filla: Yes. City not asking them to tear down. That is owner's decision.
- ❖ Codes Officer Filla Recommended:
 - Since progress has been made – give owners until May 2nd to rebuild or tear down porch and to remedy shed

April 04, 2012

✓ *Motion To Adjourn Hearing To May 02, 2012*

Council Member Robbins moved to adjourn the public hearing to the regularly scheduled city council meeting on May 02, 2012 allowing the property owners time to complete repairs and/or demolition. Motion seconded by Council Member Fleming, voted on, passed 5-0. Time: 7:09 p.m.

CONDEMNATION – SANDY WHITE – NW CORNER OF 4TH & LOCUST

Mayor Terry Weitman called the hearing to order at 7:09 p.m. Purpose of hearing was to receive comments and questions regarding condemnation of two structures on lots 1, 2, and 3 in Block 24 of the City of La Cygne. The property is owned by Sandra White.

A public hearing had previously been held on January 04, 2012. Due to the notice of the January 04, 2012 hearing being published only one time, a new hearing was scheduled for April 04, 2012. Proper notification was given of the April 04, 2012 hearing.

- ❖ Neither Sandra White nor someone to represent her was in attendance.
- ❖ City Clerk Gary Mahon noted:
 - Notes in the January 04, 2012 City Council Meeting Minutes were included in Council's packet and would be made an official part of tonight's hearing;
 - A certified letter to Sandra White containing notice of tonight's hearing was not accepted and was subsequently returned to City Hall by the Post Office;
 - An agenda of tonight's meeting, noting this hearing, had also been mailed to Sandra White;
- ❖ Codes Officer Paul Filla noted:
 - Progress has been made
 - The mobile structure has been removed from the property
 - Good job of cleaning up
 - The permanent structure (shed) is still there
 - A representative of the family had indicate several weeks ago that this structure would be repaired, re-sided, and made structurally sound
 - ◆ No improvements have been made as of this time
- ❖ Codes Officer Filla Recommended:
 - Since progress has been made – give owners until May 2nd to rebuild or tear down porch and to remedy shed
- ❖ Codes Officer Filla noted he would hand deliver notice to Sandra White residence a letter describing tonight's hearing results

✓ *Motion To Adjourn Hearing To May 02, 2012*

Council Member Robbins moved to adjourn the public hearing to the regularly scheduled city council meeting on May 02, 2012 allowing the property owners time to complete repairs and/or demolition. Motion seconded by Council Member Meisel, voted on, passed 5-0. Time: 7:14 p.m.

CONSENT AGENDA:

✓ *Motion to Approve Consent Agenda*

Council Member Fleming moved to approve the consent agenda which consisted of:
Minutes (2nd Draft) of March 21, 2012 regular city council meeting;
Check Register: March 22 through April 04, 2012;
Motion seconded by Council Member Meisel, voted on, passed 5-0. Time: 7:15 p.m.

April 04, 2012

DISCUSSION FROM THE FLOOR:

None.

REPORTS OF CITY OFFICERS:

POLICE DEPARTMENT – CHIEF PAUL FILLA

- ❖ Mowing Season
 - Looking for yards needing mowing
 - Will be sending letters
 - There are some cars that need to be attended to also
- ❖ March Stats of Police Activities were included with supplemental packet (Blue Sheets) to council
 - Noted that citizens have been making comments on the number of tickets being issued
 - There have been many car stops but not many tickets issued
 - ◆ March = 26 stops, 22 warnings, and 4 tickets
- ❖ Council Member Meisel
 - Problem with kids not being put into car seats when picked up at the elementary school. Chief Filla was going to do seminar at school. What is status?
 - Chief Filla: Working with the Judge and Highway Patrol to develop a program

PUBLIC WORKS DEPARTMENT – SUPERINTENDENT JIM JOHNSON

- ❖ Railroad Bore for Water Line at Swan Street
 - Looking for new boring company
 - Railroad demanding that bore be a dry-bore
 - Originally scheduled a company that cannot do dry bores
- ❖ Have 15 ton of patch material on hand
 - Borrowing 6 ft. roller from county
 - Will start at Hillside Drive
- ❖ Water Plant
 - Had a few problems the past two weeks
 - Have been successfully taken care of
- ❖ Council Member Sullivan noted a problem with ditch drainage on property on 1st street
 - Supt. Johnson noted that it will be awhile before he can get to it
 - Will be short of help due to upcoming Lisa Elmore maternity leave and Jerome Moore going on vacation
- ❖ Council Member Meisel inquired as to the need for temporary help
 - Supt. Johnson noted that cemetery caretaker Angela Sloan may help some
 - Discussion as to Summer Youth help and county grant assistance?
 - City Clerk Mahon: Have not received any info about youth grants
 - ◆ City did not receive grant last year
 - ◆ Money is budgeted for summer youth
 - City Clerk Mahon was directed to advertise for help in public works department
 - Advertising will consist of Flyers, City Web Site, and Facebook
 - Applications submitted for Oak Lawn Cemetery caretaker will be reviewed also
 - Position is to be part time until Lisa Elmore returns from maternity leave

April 04, 2012

- ❖ Bittiker Park Basketball Court Lighting
 - Problem with lights continually burning out was discussed
 - Council Member Meisel reported she had contacted company from where lighting was purchased
 - They have never had this problem before
 - ◆ Wrong Bulbs? Faulty Wiring?
 - Supt. Johnson stated that fixtures are wired 220
 - Council Member Meisel will do some more checking

POLICE DEPARTMENT – CHIEF PAUL FILLA

- ❖ SEK Economic Summit
 - Iola, Kansas April 13th
 - No Charge

✓ *Motion To Authorize Attendance At SEK Summit*

Council Member Meisel moved to authorize Chief Filla to attend the SEK Economic Summit in Iola, Kansas on April 13, 2012. Motion seconded by Council Member Shields, voted on, passed 5-0. Time: 7:38 p.m.

COUNCIL COMMITTEE REPORTS:

CEMETERY

- ❖ Council Member Shields noted that cemetery was looking good and that this year's Memorial Day Services have been finalized
- ❖ Supt. Johnson reported that newly hired cemetery caretaker Angela Sloan was doing a good job

COMMUNITY BUILDING

- ❖ City Clerk Mahon reported:
 - That the company that services the school district's kitchens will be coming to look at the pilots in the community building cook stove
 - That Supt. Johnson and Dan Nasalroad recently cleaned south gutter on community building
 - Hoping the clogged downspout was reason for water leak in women's restroom

UNFINISHED BUSINESS: None

NEW BUSINESS:

ESTABLISH NEW EMPLOYEE STARTING PAYROLL

✓ *Motion To Set Beginning Pay Rate For Recently Hired Employees*

Council Member Robbins moved to establish an hourly wage of ten dollars per hour (\$10.00/hr.) for Allen Huggins, Cindy Gillispie, and Angela Sloan. Motion seconded by Council Member Sullivan, voted on, passed 5-0. Time: 7:42 p.m.

April 04, 2012

EXECUTIVE SESSION:

✓ *Motion To Go Into Executive Session*

Council Member Fleming moved to go into executive session for legal and personnel for up to twenty (20) minutes following a ten (10) minute break. Motion seconded by Council Member Meisel, voted on, passed 5-0. Time: 7:45 p.m.

In addition to the Mayor, Council Members, and City Attorney, others requesting time or invited into portions of the executive sessions included (but not limited to): City Clerk Gary Mahon; and Police Chief Paul Filla.

Open Session Resumed at 8:14 p.m.

✓ *Motion To Go Into Executive Session*

Council Member Fleming moved to go into executive session up to forty-five (45) minutes for legal. Motion seconded by Council Member Meisel, voted on, passed 5-0. Time: 8:15 p.m.

In addition to the Mayor, Council Members, and City Attorney, others requesting time or invited into portions of the executive sessions included (but not limited to): City Clerk Gary Mahon; and Attorney Mike Shultz.

Open Session Resumed at 9:00 p.m.

✓ *Motion To Extend Executive Session*

Council Member Fleming moved to extend the executive session for up to forty-five (45) minutes for legal. Motion seconded by Council Member Shields, voted on, passed 5-0. Time: 9:00 p.m.

Open Session Resumed at 9:45 p.m.

OTHER BUSINESS: None

CITY CLERK'S REPORT

Verbal:

Supt. Johnson and Dan Nasalroad recently rebuilt the small back porch on city hall
Rafters had begun to rot

Written: None

NOTES AND COMMUNICATIONS TO COUNCIL: None

ADJOURNMENT:

✓ *Motion to Adjourn Meeting*

There being no further business, **Council Member Fleming moved to adjourn the meeting. Motion seconded by Council Member Meisel, voted on, Passed 5-0.** The Regular meeting was adjourned at 9:49 p.m.

April 04, 2012

I, _____ (Gary D. Mahon) 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 April 2012.

April 11, 2012 Special Session (Mediation)

SPECIAL MEETING:

The La Cygne City Council met on April 11, 2012 in special session at La Cygne City Hall. Council Members present were: Jake Fleming; Linda Meisel; Travis Robbins; Robert Sullivan; and Esther Shields (late arrival).

Others in attendance included, but not limited to: City Clerk Gary Mahon; Attorney Mike Shultz; and Mediator Dennis Gillen.

Stated purpose of the special session: Mediation with Linn County Rural Water District No. 1 and Linn County Rural Water District No. 3 concerning water contract litigation.

Mayor Weitman called the meeting to order at 9:31 a.m.

The Special Meeting was composed of several executive sessions throughout the day. In addition to the Mayor and City Council Members, others participating in all or portions of the sessions included City Clerk Gary Mahon, Attorney Mike Shultz, and Mediator Dennis Gillen.

Executive Session

✓ *Motion To Go Into Executive Session*

Council Member Robbins moved to go into executive session for up to twenty (20) minutes for legal consultation. Motion seconded by Council Member Fleming, voted on, passed 4-0. Time 9:01 a.m.

Council Member Esther Shields arrived at 9:35 a.m. and joined the executive session.

Open Session Resumed at 9:51 a.m.

Joint Session Meeting With RWD 1 and RWD 3

It was announced that the City Council would meet in joint session with the Mediator and Boards of Both Linn County Rural Water District No. 1 and Linn County Rural Water District No. 3 in joint session at the La Cygne Community Building commencing at 10:00 a.m.

✓ *Motion To Adjourn The Meeting To Community Building*

Council Member Shields moved to adjourn the meeting to the Community Building in order to meet with Linn County Rural Water Districts No. 1 and No 3 for mediation purposes and resume the meeting at City Hall at the conclusion of the joint session. Motion seconded by Council Member Robbins, voted on, passed 5-0. Time 9:54 a.m.

April 11, 2012 Special Session (Mediation)

Mediator Dennis Gillen addressed the joint session. He explained purpose, procedures, and rules of the mediation process. Joint session ended and Council resumed meeting at City Hall at 10:20 a.m.

Executive Session

✓ *Motion To Go Into Executive Session*

Council Member Meisel moved to go into executive session for up to forty (40) minutes for legal consultation. Motion seconded by Council Member Fleming, voted on, passed 5-0.
Time 10:21 a.m.

Open Session Resumed at 11:01 a.m.

✓ *Motion To Recess*

Council Member Meisel moved to recess until Dennis Gillen returned from mediation proceedings with the rural water districts. Motion seconded by Council Member Sullivan, voted on, passed 5-0. Time 11:01 a.m.

Mayor Weitman called the meeting back to order at 11:07 a.m.

Executive Session

✓ *Motion To Go Into Executive Session*

Council Member Meisel moved to go into executive session for up to thirty (30) minutes for legal consultation. Motion seconded by Council Member Shields, voted on, passed 5-0.
Time 11:07 a.m.

Open Session Resumed at 11:37 a.m.

✓ *Motion To Go Into Executive Session*

Council Member Meisel moved to go into executive session for up to ten (10) minutes for legal consultation. Motion seconded by Council Member Fleming, voted on, passed 5-0.
Time 11:40 a.m.

Open Session Resumed at 11:50 a.m.

✓ *Motion To Recess*

Council Member Fleming moved to recess until Dennis Gillen returned from mediation proceedings with the rural water districts. Motion seconded by Council Member Meisel, voted on, passed 5-0. Time 11:51 a.m.

Mayor Weitman called the meeting back to order at 12:06 p.m.

April 11, 2012 Special Session (Mediation)

Executive Session

✓ *Motion To Go Into Executive Session*

Council Member Robbins moved to go into executive session for up to twenty (20) minutes for legal consultation. Motion seconded by Council Member Meisel, voted on, passed 5-0.
Time 12:07 p.m.

Open Session Resumed at 12:28 p.m.

Executive Session

✓ *Motion To Go Into Executive Session*

Council Member Robbins moved to go into executive session for up to ten (10) minutes for legal consultation. Motion seconded by Council Member Meisel, voted on, passed 5-0. Time 12:28 p.m.

Open Session Resumed at 12:38 p.m.

Executive Session

✓ *Motion To Go Into Executive Session*

Council Member Robbins moved to go into executive session for up to five (5) minutes for legal consultation. Motion seconded by Council Member Meisel, voted on, passed 5-0. Time 1:04 p.m.

Open Session Resumed at 1:09 p.m.

Executive Session

✓ *Motion To Go Into Executive Session*

Council Member Meisel moved to go into executive session for up to five (5) minutes for legal consultation. Motion seconded by Council Member Fleming, voted on, passed 5-0.
Time 1:10 p.m.

Open Session Resumed at 1:15 p.m.

General discussion of mediation was held among Council Members

Executive Session

✓ *Motion To Go Into Executive Session*

Council Member Meisel moved to go into executive session for up to twenty (20) minutes for legal consultation. Motion seconded by Council Member Fleming, voted on, passed 5-0.
Time 1:42 p.m.

April 11, 2012 Special Session (Mediation)

Open Session Resumed at 2:02 p.m.

Executive Session

✓ *Motion To Go Into Executive Session*

Council Member Fleming moved to go into executive session for up to thirty (30) minutes for legal consultation. Motion seconded by Council Member Shields, voted on, passed 5-0.
Time 2:02 p.m.

Open Session Resumed at 2:32 p.m.

✓ *Motion To Go Into Executive Session*

Council Member Fleming moved to go into executive session for up to twenty (20) minutes for legal consultation. Motion seconded by Council Member Shields, voted on, passed 5-0.
Time 2:32 p.m.

Open Session Resumed at 2:55 p.m.

Council visited with Mediator Dennis Gillen

Executive Session

✓ *Motion To Go Into Executive Session*

Council Member Meisel moved to go into executive session for up to ten (10) minutes for legal consultation. Motion seconded by Council Member Robbins, voted on, passed 5-0.
Time 3:04 p.m.

Open Session Resumed at 3:14 p.m.

Executive Session

✓ *Motion To Go Into Executive Session*

Council Member Meisel moved to go into executive session for up to five (5) minutes for legal consultation. Motion seconded by Council Member Fleming, voted on, passed 5-0.
Time 3:14 p.m.

Open Session Resumed at 3:18 p.m.

General discussion of mediation was held among Council Members

Executive Session

✓ *Motion To Go Into Executive Session*

Council Member Meisel moved to go into executive session for up to five (5) minutes for legal consultation. Motion seconded by Council Member Fleming, voted on, passed 5-0.
Time 4:10 p.m.

Record of the Proceedings of the Governing Body
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April 11, 2012 Special Session (Mediation)

Open Session Resumed at 4:10 p.m.

✓ *Motion To Approve Agreement*

Council Member Shields moved to approve mediated agreement in principle with Linn County Rural Water District No. 1 and Linn County Rural Water District No. 3 for settlement of lawsuit between the parties and direct Attorney Mike Shultz to work with Attorneys for the Rural Water Districts to prepare finalized agreement to be brought back to City Council. Motion seconded by Council Member Meisel, voted on, passed 5-0. Time 4:20 p.m.

ADJOURNMENT:

✓ *Motion to Adjourn Meeting*

There being no further business, **Council Member Meisel moved to adjourn the meeting. Motion seconded by Council Member Robbins, voted on, passed 5-0.** The special meeting was adjourned at 4:22 p.m.

I, _____ LaCygne City Clerk, do hereby declare the
(Gary D. Mahon) above to be true and correct, to the best of my knowledge, and do hereby subscribe my name this 11th day of April 2012.

REGULAR MEETING: **April 18, 2012**

The La Cygne City Council met on April 18, 2012 for a regularly scheduled meeting at La Cygne City Hall. Council Members present were: Jake Fleming; Linda Meisel; Travis Robbins; Esther Shields; and Robert Sullivan.

Others in attendance included, but not limited to: City Clerk Gary Mahon; City Attorney John Sutherland; Police Chief Paul Filla; Public Works Superintendent Jim Johnson; Fire Chief Dan Nasalroad; Police Officer Cindy Gillispie; City Treasurer Linda Elder; Fred Meisel; Judy Kinder; Dr. Jeff Fulk; Danny Curtis; Le Roy Turpen; and Charlene Sims

Mayor Terry Weitman called the meeting to order at 7:00 p.m. by asking Council Member Bob Sullivan to lead in the Pledge of Allegiance.

MAYOR'S COMMENTS:

- ❖ City Treasurer Linda Elder 20th Anniversary
 - Started with City April 20, 1992
 - Mayor Presented Linda with Certificate of Appreciation and Commemorative Encased Clock
- ❖ Noted that construction on the new Dollar General store had commenced
- ❖ April 11, 2012 mediation with Rural Water Districts No. 1 and No. 3
 - Professional mediator assisted
 - All parties came to an agreement in principle
 - Will end litigation
 - Final agreement being drafted at this time
 - Rural Water Districts will make certain payments to the City
 - ◆ Next 10 years
 - Rural Water Districts will begin purchasing certain amounts of water from City
 - ◆ Next 17 years

April 18, 2012

CONSENT AGENDA:

- ❖ Council Member Meisel questioned payment to 7 Highway Auto
 - Per Jim Johnson: To replace door that fell off 96 Dodge Pick-up

✓ **Motion to Approve Consent Agenda**

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

Minutes (1st Draft) of April 04, 2012 Regular City Council Meeting;
Minutes (1st Draft) of April 11, 2012 Special Mediation Session;
Check Register: April 05 through April 18, 2012;
Budget Report: March 2012;
Treasurer Report: March 2012;
1st Quarter 2012 Financial Statement.

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

DISCUSSION FROM THE FLOOR:

- ❖ Dr. Jeff Fulk
 - Invited everyone to the 2nd Annual Community Prayer Breakfast
 - Sponsored by Chamber of Commerce and Pastoral Association
 - 7:00 a.m., May 3rd
 - Conjunction with National Day of Prayer
 - Praying for City and Council Members

REPORTS OF CITY OFFICERS:

POLICE DEPARTMENT – CHIEF PAUL FILLA

- ❖ Property at 616 E. Market – Eddie Shay
 - Eddie will hard surface parking lot by July 4th
 - Probably concrete
- ❖ Several letters sent to property owners concerning high grass/weeds
 - Question: Where does letter get sent if property has reverted back to bank?
 - Sutherland: To be able to place costs on tax rolls, letters must be sent to owner of record
 - Can also send to bank in attempt to get mowed
- ❖ Condemnations
 - Ross family has started and made some progress
 - White's have stated they will repair structure
 - New siding, etc.
 - Hope to start next week

PUBLIC WORKS DEPARTMENT – SUPERINTENDENT JIM JOHNSON

- ❖ Rural Water District No. 3 started purchasing all water needs yesterday
- ❖ Rural Water District No. 1 expecting to do same today or tomorrow
- ❖ Daily production has increased past few days from 105,000 gal to 123,000 to 176,000

- ❖ Water Plant Electrical Problems
 - Squirrel caused power failure on Tuesday
 - Resulted in low voltage at water plant
 - ◆ 2 phases of 3 phase not working
 - ◆ Burned pumps, etc
 - ◆ Working to identify other problems

April 18, 2012

- ❖ Railroad Bore at Swan Street
 - Have received two quotes for boring
- ❖ Water Plant Settling Pond
 - Continue to have collapsing dirt around berm
 - Have not found anyone yet to help identify the problem

COUNCIL COMMITTEE REPORTS:

WATER & GAS

- ❖ Mayor Weitman inquired about dirt being piled on top of a gas meter at a residence in town
- ❖ Supt. Johnson noted it was done by a plumbing contractor
 - Supt. Johnson will contact the plumber and ask him to clean up area

COMMUNITY BUILDING

- ❖ City Clerk Mahon reported:
 - Commercial Appliances had inspected cook stove/oven
 - Adjusted and cleaned pilots and pilot assemblies
 - South oven needs a new safety valve
 - ◆ Part ordered: Cost approximately \$300
 - Stove would cost over \$5,000 to replace

MISCELLANEOUS

- ❖ Council Member Sullivan inquired as to owner of vacant lot at southeast corner of Broadway & Walnut
 - Per City Clerk Mahon: Either Tom Patterson or Emil Wilson
- ❖ Council Member Meisel reported that the Emergency Management Committee has been developing plans and procedures in event of the City being hit by a tornado.

UNFINISHED BUSINESS: None

NEW BUSINESS:

WATER MAINTENANCE CONTRACT

- ❖ City officials had met with representatives of Utility Service Co., Inc (City had notified Utility Service in July 2011 of intent to terminate contract).
 - Mayor and City Clerk in one meeting
 - Mayor, Water Committee, and Supt. Johnson in follow up meeting at a later date
 - Supt. Johnson and Water committee now comfortable with continuing maintenance contract
 - Utility Service willing to continue contract as before
- ❖ Council Member Robert Sullivan left the meeting.

April 18, 2012

✓ *Motion To Rescind Letter of Termination*

Council Member Meisel moved to rescind the City's original letter of termination with Utility Service. Motion seconded by Council Member Robbins, voted on, passed 4-0. Time: 7:31 p.m.

❖ Council Member Sullivan returned to the meeting.

✓ *Motion To Approve Payment of Water Tower Maintenance Contract*

Council Member Meisel moved to approve the maintenance contract for both water towers with Utility Service in the amount of \$11,019.08. Motion seconded by Council Member Robbins, voted on, passed 5-0. Time: 7:32 p.m.

COMMUNICATIONS AGREEMENT – UTILITY SERVICE

❖ Attorney Sutherland asked that this issue be discussed later in executive session for legal reasons.

HENSON GAS LINE CLARIFICATION

- ❖ Travis Burchett had asked for an answer as to having natural gas service supplied to a new home
 - Home to be located on Hedge Lane Road near Fontana
- ❖ Supt. Johnson noted:
 - Travis wants meter on the far west side of 40 acres
 - Line will have to be bored under road from City's main
 - Referring to other properties, Jim questioned city's ability, in some instances, to have proper equipment and man power to maintain service lines
- ❖ Supt. Johnson will meet with Gas Committee to develop policy for Henson Gas Line customers
- ❖ Item to be on May 2nd meeting agenda

ELEMENTARY PLAYGROUND SPONSORSHIP REQUEST

- ❖ City Clerk Mahon noted that a member of the La Cygne Elementary PTO Playground Committee had asked for this item to be presented to Council
- ❖ Seeking donations to help raise money for new playground equipment at La Cygne Elementary
- ❖ Information about the project had been included in Council's meeting packet
- ❖ Council asked how much money is School District putting into project
 - Amount not known
- ❖ No Action Taken

April 18, 2012

EXECUTIVE SESSION:

✓ *Motion To Go Into Executive Session*

Council Member Fleming moved to go into executive session for legal for up to twenty-five (25) minutes. Motion seconded by Council Member Meisel, voted on, passed 5-0. Time: 7:40 p.m.

In addition to the Mayor, Council Members, and City Attorney, others requesting time or invited into portions of the executive sessions included (but not limited to): City Clerk Gary Mahon.

Open Session Resumed at 8:02 p.m.

✓ *Motion To Extend Original Executive Session*

Council Member Meisel moved to extend the original executive session for an additional five (5) minutes for personnel. Motion seconded by Council Member Shields, voted on, passed 5-0. Time: 8:03 p.m.

Open Session Resumed at 8:12 p.m.

OTHER BUSINESS:

LEADERSHIP SUMMIT

- ❖ May 11 – 12 at Wichita Hyatt Regency
- ❖ Registration: \$160
- ❖ Sponsored by League of Kansas Municipalities

✓ *Motion To Authorize Attendance by Council Member Robert Sullivan*

Council Member Robbins moved to send Bob Sullivan to the 2012 Leadership Summit in Wichita on May 11 – 12, 2012. Motion seconded by Council Member Fleming, voted on, passed 4-0-1. Abstained: Sullivan Time: 8:14 p.m.

CITY CLERK'S REPORT

Verbal:

- City Clerk will be out-of-office Friday and Monday (4/20 and 4/23)
- Annual Audit will commence next Tuesday, April 24th
 - Usually takes 3 to 4 days

Written: None

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NOTES AND COMMUNICATIONS TO COUNCIL: None

a] Planning Commission Minutes (1st Draft) – April 12, 2012

ADJOURNMENT:

✓ *Motion to Adjourn Meeting*

There being no further business, **Council Member Fleming moved to adjourn the meeting. Motion seconded by Council Member Shields, voted on, Passed 5-0.** The Regular meeting was adjourned at 8:15 p.m.

I, _____ LaCygne City Clerk, do hereby declare the
(Gary D. Mahon) above to be true and correct, to the best of my
knowledge, and do hereby subscribe my name
this 18th day of April 2012.

May 02, 2012

REGULAR MEETING:

The La Cygne City Council met on May 02, 2012 for a regularly scheduled meeting at La Cygne City Hall. Council Members present were: Jake Fleming; Linda Meisel; Travis Robbins; Esther Shields; and Robert Sullivan.

Others in attendance included, but not limited to: City Clerk Gary Mahon; City Attorney John Sutherland; Police Chief Paul Filla; Public Works Superintendent Jim Johnson; Fire Chief Dan Nasalroad; Le Roy Turpen; Robert Turpen; Marvin Clements; Freeman Thomas; Charlene Sims; Jackie Taylor; and Danny Curtis.

Mayor Terry Weitman called the meeting to order at 7:00 p.m. by asking Chief of Police Paul Filla to lead in the Pledge of Allegiance.

NEW YEAR ORGANIZATION:

MAYORAL ANNUAL APPOINTMENTS

Mayor Weitman submitted a list of Annual Appointments. It was noted that Council could approve the entire list with one motion or if a Council Member requested, approve each appointment with individual motions.

City Officers

City Clerk	Gary D. Mahon
City Treasurer	Linda Elder
Chief of Police	Paul Filla
City Attorney	John Sutherland
Fire Chief	Dan Nasalroad

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Municipal Judge	Claude Warren
Codes Officer/Zoning Compliance	Paul Filla
Public Health Officer	Paul Filla
Council Rep to Park Board	Bob Sullivan

Official City Newspaper

Official City Newspaper	Linn County News
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PLANNING COMMISSION

3-Year Term	Bob Burnett
3-Year Term	Bill Smith
3-Year Term	Linda Meisel

STANDING COUNCIL COMMITTEE APPOINTMENTS

Water & Gas	Travis Robbins	Esther Shields
Street	Jake Fleming	Bob Sullivan
Sewer	Travis Robbins	Bob Sullivan
Park	Linda Meisel	Bob Sullivan
Cemetery	Linda Meisel	Esther Shields
Public Safety	Jake Fleming	Linda Meisel
Community Building	Jake Fleming	Esther Shields
Employee Relations/Training	Linda Meisel	Travis Robbins

✓ *Motion To Approve Mayoral Annual Appointments*

Council Member Robbins moved to approve the entire list of Mayoral Annual Appointments as submitted. Motion seconded by Council Member Fleming, voted on, passed 5-0. Time: 7:04 p.m.

RESOLUTION No. 353 – WAIVER FROM CERTAIN ACCOUNTING PROCEDURES

✓ *Motion To Approve Resolution No. 353 – Waiver From Certain Accounting Procedures*

Council Member Shields moved to approve Resolution No. 353. Motion seconded by Council Member Meisel, voted on, passed 5-0. Time: 7:05 p.m.

RESOLUTION No. 354 – AUTHORITY FOR EARLY PAYMENT OF PAYROLL AND CERTAIN BILLS

✓ *Motion To Approve Resolution No. 354 – Authority for Early Payment of Payroll & Certain Bills*

Council Member Meisel moved to approve Resolution No. 354. Motion seconded by Council Member Shields, voted on, passed 5-0. Time: 7:06 p.m.

MAYOR'S COMMENTS:

- ❖ Prayer Breakfast – May 3rd – 7:00 a.m. at Library Swan Room
- ❖ City Wide Garage Sale – Saturday May 5th

May 02, 2012

NEW YEAR ORGANIZATION:

ELECTION OF COUNCIL PRESIDENT

✓ *Motion To Elect Travis Robbins as Council President*

Council Member Fleming moved to elect Council Member Travis Robbins as Council President. Motion seconded by Council Member Meisel, voted on, passed 5-0. Time: 7:08 p.m.

PUBLIC HEARINGS:

CONDEMNATION – VAN ROSS 402 WALNUT

Mayor Terry Weitman re-opened the hearing at 7:08 p.m. The hearing had been continued from April 04, 2012. Purpose of hearing was to receive comments and questions regarding condemnation of a shed and front house porch at 402 Walnut. The property is owned by Van Ross.

- ❖ Neither Van Ross nor any representative was present
- ❖ Codes Officer Paul Filla reported:
 - Very little progress had been made since the April 04, 2012 hearing;
 - Estimated that less than four hours work had been expended on repairs/demolition;
 - Property still considered a hazard;
 - Noted that at April 04, 2012 hearing the property owners had been given another thirty days to complete or substantially complete the repairs/demolition;
 - Property owner has not met that goal.
- ❖ Mayor Weitman asked if there were anymore comments, suggestions, or questions from Council Members and citizens in attendance.
 - There were none
- ❖ The hearing was closed

✓ *Motion To Prepare Resolution For Condemnation*

Council Member Robbins moved to have City Clerk prepare a Resolution for Condemnation of certain properties owned by Van Ross with repair/demolition to be completed by June 05, 2012. Motion seconded by Council Member Meisel, voted on, passed 5-0.

CONDEMNATION – SANDY WHITE – NW CORNER OF 4TH & LOCUST

Mayor Terry Weitman re-opened the hearing. The hearing had been continued from April 04, 2012. Purpose of hearing was to receive comments and questions regarding condemnation of property at NW corner of 4th and Locust. The property is owned by Sandra White.

- ❖ Neither Sandra White nor any representative was present

May 02, 2012

- ❖ Codes Officer Paul Filla reported:
 - The shed has been completely re-sided;
 - Concrete blocks removed from the roof;
 - Roof has been made secure;

- ❖ Recommended giving property owner until June 06, 2012 to complete the repairs.

✓ *Motion To Continue Hearing Until June 06, 2012*

Council Member Robbins moved to adjourn the public hearing to the regularly scheduled city council meeting on June 06, 2012 allowing the property owners time to complete repairs. Motion seconded by Council Member Fleming, voted on, passed 5-0. Time: 7:22 p.m.

CONSENT AGENDA:

- ❖ Council Member Meisel noted that check No. 15981 to Mayor Terry Weitman is listed as \$33.22. The correct amount is \$332.20.

✓ *Motion to Approve Consent Agenda*

Council Member Fleming moved to approve the consent agenda which consisted of:
Minutes (1st Draft) of April 18, 2012 Regular City Council Meeting;
Check Register: April 19 through May 02, 2012;
Motion seconded by Council Member Shields, voted on, passed 5-0. Time: 7:19 p.m.

REPORTS OF CITY OFFICERS:

CITY ATTORNEY JOHN SUTHERLAND

- ❖ Reported of recent communications from Utility Service Communications co., Inc.
 - Presently no services for reference located in Kansas
 - There is a reference location in Oklahoma
- ❖ John Sutherland has asked the company for a sample contract already in place with one of their active sites

POLICE DEPARTMENT – CHIEF PAUL FILLA

- ❖ Received 30 lb. of drugs at last Saturday's "Take Back Drugs" event
 - 19,203 lb. received throughout entire state of Kansas

- ❖ All Police Dept. radios have been converted to narrow band with exception of 99 Crown Vic
 - Recently tested and verified ability to set City warning sirens from two police vehicles
 - Fire Chief's car not yet functional for setting City sirens

- ❖ Police Dept. will be conducting courtesy child seat check tomorrow at elementary school

PUBLIC WORKS DEPARTMENT – SUPERINTENDENT JIM JOHNSON

- ❖ Received a 3rd quote for doing dry bore under railroad at Swan Street
 - Smallest dry bore this company could do is 18 inches
 - Only need 8" so this company will not be considered

May 02, 2012

- ❖ Brakes out on tractor
 - Approximately \$2,000 to repair
 - Needed to mow sewer lagoons
 - Tractor has approximately 500 hours

✓ *Motion To Approve Tractor Repairs*

Council Member Robbins moved to approve up to two thousand dollars (\$2,000.00) for repairs to tractor. Motion seconded by Council Member Meisel, voted on, passed 5-0. Time: 7:27 p.m.

- ❖ Supt. Johnsons reported that Lisa Elmore may have to leave work earlier than originally scheduled for May 13th
 - Dr. reports that baby may be due sooner than originally expected
- ❖ Council Member Meisel noted that Conley Sales in Pleasanton has a used Huscavarna Mower
 - 60" Deck
 - \$5,000
 - Supt. Johnson noted that cemetery caretaker Angela Sloan is keeping up with mowing – so not sure at this time if need to trade for bigger mower

FIRE CHIEF DAN NASALROAD

- ❖ Two new firemen recently added to the department
 - Brian Turpen & Dennis Downey
 - Brian is a returning fireman
 - Dennis has experience having been on the Peculiar, Mo. Department
- ❖ Cub Scouts Garage Sale – Saturday – May 5th During City Wide Garage Sale Day
 - Ask everyone to remember to keep at least one lane open on city streets
- ❖ Noted that fire department was in process of converting radios to narrow band

COUNCIL COMMITTEE REPORTS:

COMMUNITY BUILDING

- ❖ Council Member Sullivan noted observing more leaks toward back of building after recent rains
 - Small puddle of water by back door
 - City Clerk Mahon noted that was probably coming through opening around electric meter and not related to the roof.
- ❖ Council Member Shields noted the high cost of repairing the cook stove/oven
 - City Clerk Mahon reminded Community Building Committee of original report that trips would cost over \$200
 - Company came twice and the repair part was over \$300
 - Replacement stove of same type would be in excess of \$5,000
 - Stove, oven, and pilots appear to be working fine after the repairs

May 02, 2012

SPECIAL COMMITTEE REPORTS:

CHAMBER OF COMMERCE – MARVIN CLEMENTS – THAYER PARK

- ❖ Marvin Clements updated Council on progress of establishing Thayer Park
 - Greg Grant will identify the west right-of-way line of the property
 - No parking will be allowed on the lot in the near future
 - Many people have volunteered to help with developing the park
 - Gravel will be removed and taken to Thayer's farm
 - Thayer will send back good dirt to replace the removed gravel
 - Plans include:
 - Setting of a Pergola and Event Center
 - Planting of evergreen to be used for Mayor's Christmas Tree
 - ◆ Josh Baldwin (Dreamscape) will supply 12 – 15 ft. tree
 - Cost = Approximately \$500
 - Future Committee meetings will be held at the Community Building
 - First one scheduled for May 10th
 - Hope to have project completed within 2 years
 - Lots of work to be completed by volunteers
 - Marvin expressed pride for the entire community in the upcoming project
- ❖ Police Chief/Codes Officer Filla noted that Burlington Northern Railroad was considering a Telecommunications tower along their right-of-way.
 - City Clerk Mahon noted that although inquiry had been made, no formal application had been received.

UNFINISHED BUSINESS:

HENSON LINE GAS SERVICE CLARIFICATION

- ❖ Council reviewed proposal to amend sections 14-303 and 14-304 of the City Codes
 - Clarifies language to make property owners outside of city limits responsible for all costs of installation and maintenance of gas lines
- ❖ Council directed the City Clerk to draw up an ordinance for their review at next meeting

NEW BUSINESS:

ORDINANCE No. 1405 – REZONING – FREEMAN THOMAS – 601 E. MARKET

✓ *Motion To Approve Ordinance No. 1405*

Council Member Robbins moved to approve Ordinance No 1405. Motion seconded by Council Member Fleming, voted on, passed 5-0. Time: 7:48 p.m.

CITY ATTORNEY ASSOCIATION MEETING – JOHN SUTHERLAND

- ❖ June 15, 2012 at Newton, Kansas
- ❖ Registration = \$50

May 02, 2012

✓ *Motion To Approve Attendance at City Attorney Association Meeting*

Council Member Robbins moved to send City Attorney Sutherland to City Attorney Association Meeting in Newton, Kansas on June 15, 2012 with City to pay \$50 registration fee. Motion seconded by Council Member Fleming, voted on, passed 5-0. Time: 7:49 p.m.

ESTABLISH STARTING WAGES

✓ *Motion To Establish Starting Wages*

Council Member Meisel moved to set starting wages for temporary part-time public works employees James Collins and David McKinney at ten dollars per hour (\$10.00 per hour). Motion seconded by Council Member Shields, voted on, passed 5-0. Time: 7:50 p.m.

RESOLUTION No. 352 – ELEMENTARY PLAY DAY CLOSING

✓ *Motion To Approve Resolution No. 352*

Council Member Fleming moved to approve Resolution No. 352. Motion seconded by Council Member Robbins, voted on, passed 5-0. Time: 7:51 p.m.

EXECUTIVE SESSION:

✓ *Motion To Go Into Executive Session*

Council Member Fleming moved to go into executive session for legal and personnel for up to twenty (20) minutes. Motion seconded by Council Member Robbins, voted on, passed 5-0. Time: 7:51 p.m.

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

Open Session Resumed at 8:04 p.m.

OTHER BUSINESS: None.

CITY CLERK'S REPORT

Verbal: None
Written: None

NOTES AND COMMUNICATIONS TO COUNCIL: None

May 02, 2012

ADJOURNMENT:

✓ *Motion to Adjourn Meeting*

There being no further business, **Council Member Shields moved to adjourn the meeting. Motion seconded by Council Member Sullivan, voted on, Passed 5-0.** The Regular meeting was adjourned at 8:06 p.m.

I, _____ LaCygne City Clerk, do hereby declare the
(Gary D. Mahon) above to be true and correct, to the best of my knowledge, and do hereby subscribe my name this 2nd day of May 2012.

May 16, 2012

REGULAR MEETING:

The La Cygne City Council met on May 16, 2012 for a regularly scheduled meeting at La Cygne City Hall. Council Members present were: Jake Fleming; Linda Meisel; Travis Robbins; Esther Shields; and Robert Sullivan.

Others in attendance included, but not limited to: City Clerk Gary Mahon; City Attorney John Sutherland; Police Chief Paul Filla; Public Works Superintendent Jim Johnson; Fire Chief Dan Nasalroad; Le Roy Turpen; and Fred Meisel.

Mayor Terry Weitman called the meeting to order at 7:00 p.m. by asking Fred Meisel to lead in the Pledge of Allegiance.

MAYOR'S COMMENTS:

- ❖ Thank You card from Mercy Clinic Linn County
 - Spring 2012 Drug Take-Back Program
- ❖ Attended recent county commissioner 's meeting seeking help with street preservation
 - Council Members Robbins and Shields attended also
 - Positive reception from Linn County officials
 - Supt. Johnson is meeting with John Byington to develop a plan
- ❖ Announced that City Clerk Gary Mahon is retiring the end of September

CONSENT AGENDA:

- ❖ Council Member Sullivan inquired about check No. 16081 listed for \$27.55 for his mileage to Wichita. City Clerk Mahon reported that the actual amount should read \$227.55. The amount was entered incorrectly into the check register.

May 16, 2012

✓ **Motion to Approve Consent Agenda**

Council Member Meisel moved to approve the consent agenda, noting correction of check No. 16081, which consisted of:

Minutes (1st Draft) of May 02, 2012 Regular City Council Meeting;
Check Register: May 03 through May 16, 2012;
Budget Report: April 2012
Treasurer Report: April 2012

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

SPECIAL BUSINESS:

PAUL MYERS – LINN COUNTY INSURANCE

- ❖ Paul was unable to attend the meeting as scheduled
 - Check had been previously delivered from EMC Insurance in amount of \$1806.87
 - Group Dividend for April 2011 to April 2012
 - Letter from EMC explaining the dividend was included in Council Packet Blue Sheets

TERRY SERCER – 2011 AUDIT REPORT

- ❖ Copies of the 2011 Audit of Financial Statements were distributed to Council Members
- ❖ Terry Sercer reported his findings on the annual audit of 2011 financial statements
 - Good report - No violations
 - Concerned about the decrease of funds in water department
 - Due to recent loss of sales to rural water districts + litigation expenses
 - ◆ Hopefully recent settlement will reverse the trend
 - Reviewed letters of management
 - Recommended that unusual expenses or revenues be noted in the minutes
 - Recommended that utility account adjustments and past dues be reviewed by Council
 - Explained reason for city to annually waive Generally Accepted Accounting Principles
- ❖ City Clerk Mahon noted that the audit report was available on the City's website
- ❖ Mayor Weitman thanked all city personnel and departments for doing their part that ultimately contributed to the good 2011 financial audit report.

REPORTS OF CITY OFFICERS:

POLICE DEPARTMENT – CHIEF PAUL FILLA

- ❖ Silver Creek Pharmacy recently broken into
 - Significant amount of drugs taken
- ❖ Council Member Sullivan: Why is police not monitoring school zone/cross walk anymore?
 - Police Chief Filla: Cruise the side streets in the morning
 - Seldom have speeders on Market (K-152)
 - One citizen recently expressed concern about cars not stopping for kids in cross school crosswalk
 - ◆ More people from out-of-town contributing to problem due to power station upgrade and phone company fiber optic installation

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PUBLIC WORKS DEPARTMENT – SUPERINTENDENT JIM JOHNSON

- ❖ Nothing to report
- ❖ Council asked status of railroad water line bore on Swan Street
 - Supt. Johnson reported there had been no movement as Council had not approved any submitted bids
 - Railroad bore item was not listed on this meeting’s agenda as requested so was not going to address the issue
 - Copies of bids received had been previously e-mailed to council members by the City Clerk
 - Mayor Weitman suggested we deal with the subject now
 - Council Member Meisel had a copy of the bid quotes with her
 - Boatwright Boring L.L.C. = \$10,800.00 (includes welding of the casing)
 - We-Bore-It = \$12,500.00
 - Mayor Weitman asked for Supt. Johnson’s recommendation
 - Boatwright Boring
 - ◆ Cheaper bid + includes welding

✓ *Motion To Approve Boatwright Boring Railroad Water Line Bore*

Council Member Meisel moved to accept the bid of Ten Thousand Eight Hundred Dollars (\$10,800.00) for boring of a water line under the railroad at Swan Street. Motion seconded by Council Member Shields, voted on, passed 5-0. Time: 7:37 p.m.

FIRE CHIEF DAN NASALROAD

No Report

COUNCIL COMMITTEE REPORTS:

STREET

- ❖ Council Member Sullivan
 - Will do an audit of street name and number signs to determine what ones need replaced
 - Reported on recent Chamber of Commerce committee meeting for Thayer Park
 - Is a resolution needed for installing “No Parking” signs
 - ◆ Private property and not a public thoroughfare

CEMETERY

- ❖ Esther Shields
 - Porta Potty will be moved from next to event pavilion to a different location
 - 17 or 18 tree stumps left
 - Carl Marris would grind for \$25 each
 - ◆ Grindings would be left
 - Supt. Johnson would dispose of grindings

✓ *Motion To Hire Carl Marris To Remove Cemetery Stumps*

Council Member Shields moved to hire Carl Marris to remove tree stumps at a cost of twenty-five dollars each (\$25.00 per stump) at Oak Lawn Cemetery. Motion seconded by Council Member Meisel, voted on, passed 5-0. Time: 7:43 p.m.

May 16, 2012

PARK

Council Member Robbins

- Status of lighting of basketball court at Bittiker Park
 - City Clerk Mahon
 - ◆ Page Electric had recently checked the wiring and connections and found nothing wrong
 - ◆ Only the middle fixture had been re-wired due to wires being melted
 - Don't know reason for melting but heat shield could have been askew allowing heat from bulb to melt wires
 - ◆ Have obtained a new fixture from Light Bulbs Etc. as a sample to see if it would be good replacement
 - Asked Page for price to duplicate the sample
 - Have not received a price back yet
- Council Member Robbins suggested giving authority to Park Committee to make decisions to get lights working again.

- ❖ Supt. Johnson noted that the picnic tables at Bittiker Park were in disrepair and had been removed.

✓ *Motion To Authorize Necessary Restorations to Basketball Lights at Bittiker Park*

Council Member Robbins moved to authorize the Park Committee to take actions necessary to resolve basketball court light issue at Bittiker Park. Motion seconded by Council Member Fleming, voted on, passed 5-0. Time: 7:48 p.m.

COMMUNITY BUILDING

- ❖ Council Member Shields
 - Reported that Marvin & Faye Clements had looked at restrooms in Community Building and requested they be painted and hole fixed in ceiling.
 - Inquired as who to contact to perform the work
 - Council Member Robbins agreed to meet with Council Member Shields and develop a plan of how to repair or refurbish the restrooms

UNFINISHED BUSINESS:

None

NEW BUSINESS:

RESOLUTION No. 355 – VAN ROSS CONDEMNATION – 402 WALNUT

✓ *Motion To Approve Resolution No. 355*

Council Member Meisel moved to approve Resolution No. 355. Motion seconded by Council Member Robbins, voted on, passed 5-0. Time: 7:53 p.m.

May 16, 2012

ORDINANCE NO. 1406 – GAS SERVICE PIPES

✓ *Motion To Approve Ordinance No. 1406*

Council Member Meisel moved to approve Ordinance No. 1406. Motion seconded by Council Member Robbins, voted on, passed 5-0. Time: 7:54 p.m.

EXECUTIVE SESSION:

✓ *Motion To Go Into Executive Session*

Council Member Fleming moved to go into executive session for legal and personnel for up to twenty-five (25) minutes. Motion seconded by Council Member Meisel, voted on, passed 5-0. Time: 7:54 p.m.

In addition to the Mayor, Council Members, and City Attorney, others requesting time or invited into portions of the executive sessions included (but not limited to): City Clerk Gary Mahon.

Open Session Resumed at 8:19 p.m.

OTHER BUSINESS:

Council Member Shields noted that she would call Carl Marrs in morning about removing the tree stumps.

CITY CLERK'S REPORT

Verbal: Reported that this would be Osawatomie Graphic reporter Charlene Sims last meeting with us. Charlene is retiring.

Written: None

NOTES AND COMMUNICATIONS TO COUNCIL: None

- a] Park Board Minutes: April 26, 2012
- b] Personnel Management: Municipal Leadership Academy
- c] Planning Commission Minutes: May 10, 2012
- d] Utility Billing Adjustment Journal: April 2012
- e] Utility Billing Aging Report: April 2012

ADJOURNMENT:

✓ *Motion to Adjourn Meeting*

There being no further business, **Council Member Shields moved to adjourn the meeting. Motion seconded by Council Member Meisel, voted on, Passed 5-0.** The Regular meeting was adjourned at 8:22 p.m.

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May 16, 2012

I, _____ LaCygne City Clerk, do hereby declare the
(Gary D. Mahon) above to be true and correct, to the best of my
knowledge, and do hereby subscribe my name
this 16th day of May 2012.

June 06, 2012

REGULAR MEETING:

The La Cygne City Council met on June 06, 2012 for a regularly scheduled meeting at La Cygne City Hall. Council Members present were: Jake Fleming; Linda Meisel; Esther Shields; and Robert Sullivan. Absent: Travis Robbins.

Others in attendance included, but not limited to: City Clerk Gary Mahon; City Attorney John Sutherland; Police Chief Paul Filla; Public Works Superintendent Jim Johnson; Fire Chief Dan Nasalroad; Le Roy Turpen; Shannon Ross; Judy Kinder; and Rhonda Matthews.

Mayor Terry Weitman called the meeting to order at 7:03 p.m. In honor of his upcoming birthday, Jim Johnson led in the Pledge of Allegiance.

MAYOR'S COMMENTS:

- ❖ Today was the first day for this season's Farmer's Market
- ❖ 2013 Budget Preparations to begin soon
 - Asked all departments to try and hold expenses to last year's level
 - Departments will need to justify any increase in budgeted expenses
 - City Clerk Mahon noted that budget needs to be finalized around August 1st

PUBLIC HEARING:

CONDEMNATION – SANDY WHITE – NW CORNER OF 4TH & LOCUST

- ❖ Mayor Weitman re-opened the hearing at 7:05 p.m.
- ❖ Codes Officer Filla reported that abatement of the property had been accomplished
- ❖ No comments received from citizens in attendance
- ❖ Council considered the condemnation proceedings completed with no further action required
- ❖ Mayor Weitman closed the hearing at 7:06 p.m.

CONSENT AGENDA:

- ❖ Council Member Meisel inquired about checks No. 16168 and 16135. Check register shows #16168 being for fuel. Entered wrong into the computer. The \$349.65 was mileage for Tate West to KLETC training in Hutchinson. Check # 16135 for \$400 was application fee to have former Taylor property at 114 W. Market placed on tax exempt status.

June 06, 2012

✓ **Motion to Approve Consent Agenda**

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

Minutes (1st Draft) of May 16, 2012 Regular City Council Meeting;
Check Register: May 17 through June 06, 2012;
Budget Report: May 2012
Treasurer Report: May 2012

Motion seconded by Council Member Shields, voted on, passed 4-0. Time: 7:10 p.m.

DISCUSSION FROM THE FLOOR:

RHONDA MATTHEWS – SWAN FEST

- ❖ River Run planned in conjunction with Swan Fest
 - Have checked with insurance carrier
 - Event O.K. to have
 - Volunteers lined up to help

REPORTS OF CITY OFFICERS:

POLICE DEPARTMENT – CHIEF PAUL FILLA

- ❖ Recently completed two trainings
 - Doing another June 8th to complete 40 hours
- ❖ Tate West and Allen Huggins scheduled to graduate KLETC on Friday, June 15th
- ❖ 99 Crown Vic is down
 - Lower Bearings are out
 - Changing entire engine cheaper than overhaul
 - Kansas Surplus has some cars available
 - Department down to two vehicles

PUBLIC WORKS DEPARTMENT – SUPERINTENDENT JIM JOHNSON

- ❖ Water Tower maintenance postponed until Fall
- ❖ Railroad Bore on hold
 - Contractor swamped and will get to bore when caught up
- ❖ Linn County Highway Dept. – John Byington
 - Swamped – Will get with Jim to develop street maintenance plan when caught up
- ❖ Bittiker Park Basketball Lights
 - Page Electric Swamped – Will get to lights when caught up
- ❖ Tractor brakes not working when on an incline
 - Repairmen coming to investigate
- ❖ Reported that Lisa getting close to having her baby
- ❖ Bittiker Park
 - Picnic table donated from south “Community Park”

FIRE CHIEF DAN NASALROAD

Not yet arrived at meeting. Attending to emergency call.

June 06, 2012

COUNCIL COMMITTEE REPORTS:

CEMETERY

- ❖ Council Member Meisel:
 - 3 trees need trimmed and 5 removed
 - Cost = \$3200
- ❖ Council Member Shields:
 - 3 stumps remain to be removed
 - City was recently charged for removal of 18 stump
 - ◆ Linda Meisel will check with Carl Marrs to determine if he missed the stumps in the original 18 or if they are an additional three stumps

✓ *Motion To Hire Carl Marrs To Remove & Trim Cemetery Trees*

Council Member Meisel moved to hire Carl Marrs to trim three (3) and remove five (5) trees at a cost of Three Thousand Two Hundred Dollars (\$3200.00) plus remove three (3) stumps. Motion seconded by Council Member Meisel Shields, voted on, passed 4-0. Time: 7:26 p.m.

WATER & GAS

- ❖ Council Member Meisel:
 - Bids to be opened this week for bridge replacement south of Fontana
 - City gas line is attached to bridge and bid includes costs for relocating

CEMETERY

- ❖ Mayor Weitman:
 - Requested citizens to please respect the cemetery by cleaning up after their pets

COMMUNITY BUILDING

- ❖ Council Member Shields:
 - Asked for suggestions for carpentry work to repair restrooms
 - Wilbur Fleming will not be able to perform the work as originally thought

SPECIAL COMMITTEES:

PRIDE

- ❖ Council Member Meisel:
 - Group of 20 citizens interested in resurrecting the Pride Committee
 - Resolution required for City to apply to Pride Program

✓ *Motion To Approve Resolution No. 356*

Council Member Shields moved to approve Resolution No. 356 declaring the city an entrant into the Kansas Pride Program. Motion seconded by Council Member Sullivan, voted on, passed 4-0. Time: 7:33 p.m.

June 06, 2012

EMERGENCY MANAGEMENT

- ❖ Council Member Meisel:
 - Only one bid received for transfer switch for community building
 - \$2159.65
 - Present set-up is not safe
 - Discussion of funding
 - Emergency management fund does not have enough funds
 - Equipment Reserve fund could handle the purchase

✓ *Motion To Approve Community Building Generator Transfer Switch*

Council Member Sullivan moved to approve purchase of transfer switch for community building generator in the amount of Two Thousand One Hundred Fifty Nine and 65/00 Dollars (\$2159.65) to be paid from equipment reserve fund. Motion seconded by Council Member Fleming, voted on, passed 3-0-1. Abstained: Meisel

- ❖ Council Member Meisel:
 - July 17 = State-Wide Medical Emergency Meeting
 - La Cygne will host Linn County
 - Would like for Dan Nasalroad, Jerome Moore, and Jim Johnson to be available
 - ◆ All day meeting with main emphasis from 9 to 11 am

UNFINISHED BUSINESS:

VAN ROSS CONDEMNATION

- ❖ Deadline for repairing/demolishing the property was 12 midnight, Tuesday, June 05, 2012
- ❖ Mayor Weitman: Work is not finished
- ❖ Shannon Ross:
 - Shed is reinforced
 - Porch Roof gone except for frame
- ❖ Codes Officer Paul Filla:
 - Satisfied that front porch is Sturdy
 - Had not looked at shed
 - Received letter May 23rd from contractor stating shed would be fixed within 30 days
 - Mayor requested letter from contractor stating that structure was safe
- ❖ Mayor Weitman requested a final inspection
 - Mayor, Codes Officer, and Public Works Superintendent Johnson will inspect after meeting is adjourned
 - If inspection shows violations have been addressed, the matter will be dismissed
 - If inspection shows violations have not been addressed, the City will continue with condemnation proceedings

NEW BUSINESS:

BANNERS

- ❖ Council Member Meisel inquired about putting up street pole banners that have been stored a City Hall
- ❖ Banners were originally purchased and mounted by Iota Tau Sorority
- ❖ KCPL then helped by changing banners on regular basis

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- ❖ City Public Works employees later changed the banners as needed
- ❖ In past years the City purchased mounting hardware on an as-needed basis (pole breakage, etc.)
 - Over the years, different types of banners with different hardware have been used resulting in a mixed array of hardware.
 - City Clerk Mahon suggested that poles be stripped of all hardware and take inventory of what is on hand compared to what is needed and start over
 - Name and address of supplier was available for whomever wanted to head the project
- ❖ Mayor Weitman inquired as how City mounted the banners on the poles
 - Supt. Johnson noted that a man lift was purchased for the bucket of the City's back-hoe
 - Bucket then raised to maximum height and slightly tipped
 - ◆ Concern expressed about safety of working out of backhoe bucket
- ❖ Council Member Meisel will check prices of mounting hardware and report back

JULY 4TH MEETING DATE

The first regularly scheduled city council meeting in July falls on Independence Day. The next day (July 5th) is regularly scheduled municipal court. Community Building is booked for July 5th also. Council was asked to consider having the meeting on July 3rd.

✓ *Motion To Re-schedule Meeting to July 03, 2012*

Due to Independence Day falling on a regularly scheduled City Council Meeting Date, **Council Member Meisel moved to reschedule the first meeting in July to 7:00 p.m., Tuesday, July 3rd at La Cygne City Hall. Motion seconded by Council Member Fleming, voted on, passed 4-0.** Time: 7:58 p.m.

REQUEST TO WAIVE COMMUNITY BUILDING FEE FOR BRENT QUERRY BENEFIT

✓ *Motion To Waive Community Building Fee For Brent Query Benefit*

Council Member Shields moved to waive the Community Building Rental Fee for the Brent Query benefit. Motion seconded by Council Member Fleming, voted on, passed 4-0. Time: 7:59 p.m.

LEADERSHIP ACADEMY – PERSONNEL MANAGEMENT

- ❖ Personnel Management
- ❖ Friday, June 22nd at Mission, Kansas
- ❖ Registration = \$75

✓ *Motion To Authorize Attendance at Municipal Leadership Academy*

Council Member Fleming moved to send Council Member Bob Sullivan to the Municipal Leadership Academy on Friday, June 22nd at Mission, Kansas at cost of seventy-five dollars (\$75.00) Motion seconded by Council Member Shields, voted on, passed 3-0-1. Abstained: Sullivan Time: 8:00 p.m.

June 06, 2012

EXECUTIVE SESSION:

✓ *Motion To Go Into Executive Session*

Council Member Fleming moved to go into executive session for legal and personnel for up to thirty-five (35) minutes. Motion seconded by Council Member Shields, voted on, passed 4-0. Time: 8:01 p.m.

In addition to the Mayor, Council Members, and City Attorney, others requesting time or invited into portions of the executive sessions included (but not limited to): City Clerk Gary Mahon.

Executive Session Extended

✓ *Motion To Extend Executive Session*

Council Member Fleming moved to extend the executive session by fifteen (15) minutes for personnel. Motion seconded by Council Member Shields, voted on, passed 4-0. Time: 8:36 p.m.

Open Session Resumed at 8:39 p.m.

OTHER BUSINESS:

✓ *Motion To Hire Devona Herrin As City Clerk*

Council Member Fleming moved to hire Devona Herrin as City Clerk starting August 02, 2012 at Seventeen and 25/00 Dollars per hour (\$17.25/hr). Motion seconded by Council Member Shields, voted on, passed 4-0. Time: 8:42 p.m.

CITY CLERK'S REPORT

Verbal: Reported that he would start searching prices for a new copier. Present copier was beginning to malfunction with more consistency plus the latest malfunction will be expensive to repair. Copier is in its 5th year of service.

Written: None

NOTES AND COMMUNICATIONS TO COUNCIL: None

- a] Certificates of Participation: KLETC "Legal Issues in Car Stops"
- b] Minutes – Chamber of Commerce: May 09, 2012
- c] Utility Billing Adjustment Journal (Separate Attachment to Council Members)
- d] Utility Billing Aging Report (Separate Attachment to Council Members)
- e] KLETC Training Participation – Sexual Assault – Paul Filla

June 06, 2012

ADJOURNMENT:

✓ *Motion to Adjourn Meeting*

There being no further business, **Council Member Shields moved to adjourn the meeting. Motion seconded by Council Member Meisel, voted on, Passed 4-0.** The Regular meeting was adjourned at 8:44 p.m.

I, _____ LaCygne City Clerk, do hereby declare the
(Gary D. Mahon) above to be true and correct, to the best of my
knowledge, and do hereby subscribe my name
this 06th day of June 2012.

June 20, 2012

REGULAR MEETING:

The La Cygne City Council met on June 20, 2012 for a regularly scheduled meeting at La Cygne City Hall. Council Members present were: Jake Fleming; Linda Meisel; Esther Shields; Travis Robbins; and Robert Sullivan.

Others in attendance included, but not limited to: City Clerk Gary Mahon; City Attorney John Sutherland; Police Chief Paul Filla; Public Works Superintendent Jim Johnson; Fire Chief Dan Nasalroad; Police Officer Tate West; Police Officer Allen Huggins; Matt Ohlert; Matt Landes; J.R. McMahon; Robert Turpen; Le Roy Turpen; Darrel Walker; and Fred Meisel.

Mayor Terry Weitman called the meeting to order at 7:00 p.m. Pledge of Allegiance was led by City Clerk Gary Mahon.

MAYOR'S COMMENTS:

- ❖ Noted that due to dry weather a burn ban was in place

CONSENT AGENDA:

- ❖ Council Member Meisel noted minutes of the June 06, 2012 meeting contained an error. The motion to hire Carl Marrs to trim trees in the cemetery is recorded as Council Member Meisel both making and seconding the motion. The motion was actually seconded by Council Member Shields.
 - The correction was duly noted

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

Council Member Meisel moved to approve the consent agenda which consisted of:
Minutes (1st Draft with noted correction) of June 06, 2012 Regular City Council Meeting;
Check Register: June 07 through June 15, 2012;
Motion seconded by Council Member Fleming, voted on, passed 5-0. Time: 7:02 p.m.

June 20, 2012

SPECIAL BUSINESS:

MIAMI COUNTY BRIDGE REPLACEMENT

- ❖ J.R. McMahon, Matt Ohlert, and Matt Landes of the Miami County Engineering Department were present to explain about their upcoming bridge project
 - Location: Hedge Lane Road - .5 mile south of 391st street in Miami County
 - Estimate starting work in middle of August 2012 – 90 days to complete
 - Bridge deck replacement
 - City main gas line from Henson is attached to bridge
 - Line to be relocated during construction and then re-attached
 - Support, protection, and reattachment of gas line was included in engineer plans
 - Relocation agreement presented to City of Lacygne
 - Cost = \$10,262
 - ◆ Payment to be made in two installments of \$5131

✓ *Motion To Enter Into Agreement for Gas Line Relocation on Miami County Bridge Project 11-01-ST*

Council Member Robbins moved to enter into a relocation agreement, as presented, with Miami County for protection and relocation of city's gas line on bridge #240 in the amount of Ten Thousand Two Hundred Sixty Two Dollars (\$10,262.00) with Five Thousand One Hundred Thirty One Dollars (\$5,131.00) to be paid upfront. Motion seconded by Council Member Meisel, voted on, passed 5-0. Time: 7:12 p.m.

EDDIE SHAY – PARKING LOT SURFACE

- ❖ Eddie Shay reported on status of hard surfacing parking lot at 616 E. Market
- ❖ Deadline to have hard surfaced is July 01, 2012
 - Wes Servos has been contracted to concrete the parking lot
 - Originally scheduled for 2nd week of June
 - ◆ Would not allow enough time for setting up before being used for fireworks sales starting June 27th
 - Now scheduled to be concreted after July 5th

✓ *Motion To Extend Deadline to Eddie Shay For Hard Surfacing Parking Lot*

Council Member Meisel moved to extend deadline for hard surfacing parking lot at 616 E. Market to August 30, 2012. Motion seconded by Council Member Shields, voted on, passed 5-0. Time: 7:12 p.m. Eddie stated "It Will Be Done"

DISCUSSION FROM THE FLOOR:

DARRELL WALKER

- ❖ Addressed Council on possibility of City issuing tax abatements
- ❖ Owns building at 101 Broadway
- ❖ Doing restoration work on building
- ❖ Asked Council to freeze taxes at present level and abate future taxes created by increased valuation
 - City has no authority over county or school taxes – only city taxes

June 20, 2012

- ❖ It was noted that Council Member Shields had contacted County official about abatement of taxes
 - Economic Development Director, Dennis Arnold scheduled to be at next meeting
- ❖ Mayor assured Mr. Walker that City is very interested in helping with restoration project and that City will look into tax abatement possibilities

REPORTS OF CITY OFFICERS:

POLICE DEPARTMENT – CHIEF PAUL FILLA

- ❖ Noted graduation of Tate West and David Allen Huggins from Kansas Law Enforcement Training Center on June 15th
 - Both officers did well academically

CITY ATTORNEY – JOHN SUTHERLAND

- ❖ Council Member Sullivan inquired about status of deed from Thayer Family (NW corner of Market & Broadway)
 - Sutherland: Their attorney still working on preparing correct documents

PUBLIC WORKS DEPARTMENT – SUPERINTENDENT JIM JOHNSON

- ❖ Reported that lightning had hit the east sewer lift station
 - Currently running by generator
 - Electrician coming to inspect and make repairs
 - Will ask the electrician to also assist with getting Bittiker Park Basketball lights operational
- ❖ Water Salesman (Bulk Water Sales) broke down for 2 – 3 days
 - Repaired and back in operation
- ❖ Noted that RWD 1 and RWD 3 is pulling water full time from us
 - Have experienced some minor problems but they are controllable
- ❖ Noted that due to work schedules, no one would be able to attend the chlorine school scheduled for June 21st.
- ❖ K.C.C. inspected gas department yielding a pretty good report
 - Couple of minor violations
 - Will receive written report in approximately 1 week.
- ❖ Will meet with representatives of company doing bore for water line under the railroad at Swan Street later this week to set date to do actual bore

COUNCIL COMMITTEE REPORTS:

CEMETERY

- ❖ Council Member Meisel noted that Carl Marrs would be cutting the trees next week

June 20, 2012

COMMUNITY BUILDING

- ❖ Council Member Shields reported that she had contacted four contractors regarding repairs to restrooms
 - Two responded and were to have submitted proposals
 - Proposals not received

SPECIAL COMMITTEES:

EMERGENCY MANAGEMENT

- ❖ Council Member Meisel reported that the generator transfer switch had been installed in the community building
 - Authorized City Clerk to release the check

UNFINISHED BUSINESS:

VAN ROSS CONDEMNATION

- ❖ Codes Officer Paul Filla:
 - Inspection of property at 402 Walnut performed after June 20, 2012 Council Meeting
 - Front Porch has been completely removed
 - Shed remains unsound
- ❖ Mayor Weitman:
 - Received letter from Shannon Ross
 - Need more time to remove/repair shed
 - ◆ Contractor can only work on Tuesdays
 - Front porch has been removed
 - ◆ Debris will be cleaned up as Contractor can get accomplished on Tuesdays
- ❖ Council discussed amount of time that has already transpired on the project

✓ *Motion To Advertise For Bids To Demolish Shed at 402 Walnut (Van Ross)*

Council Member Sullivan moved to take bids to demolish a shed owned by Van Ross at 402 Walnut with bids to be opened at the City Council's second meeting in July 2012. Motion seconded by Council Member Meisel, voted on, passed 5-0. Time: 7:44 p.m.

MAYORAL APPOINTMENT OF CITY CLERK

Proper procedures for appointment and hiring of Devona Herrin as City Clerk were not followed at the June 06, 2012 meeting. City Clerk position is to be filled by the Mayor's appointment and cannot be unilaterally hired by the City Council. The following steps were taken to rectify and clarify the appointment.

Mayor Terry Weitman appointed Devona Herrin to be La Cygne City Clerk beginning September 20, 2012.

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✓ *Motion To Approve Appointment of Devona Herrin as City Clerk*

Council Member Fleming moved to approve the Mayor's appointment of Devona Herrin as City Clerk effective September 20, 2012. Motion seconded by Council Member Meisel, voted on, passed 5-0. Time: 7:46 p.m.

✓ *Motion To Ratify Action Taken at the June 6th Meeting.*

Council Member Meisel moved to ratify the action taken at Council's June 06, 2012 to hire Devona Herrin as a City employee beginning August 02, 2012 at the rate of Seventeen and 25/00 dollars per hour (\$17.25/hr). Motion seconded by Council Member Fleming, voted on, passed 5-0. Time: 7:47 p.m.

BANNERS

- ❖ Council Member Meisel reported that cost of brackets for banners on had would range from \$80 to \$100 per pole
 - 10 Banners
 - Total Cost = \$800 to \$1000
- ❖ Best to place on Broadway? Or Market?
- ❖ How do we lift employees to hang them
 - Rent lift?
- ❖ Council Member Meisel will do more research and report at a date to be determined

NEW BUSINESS:

COPY MACHINE

City Clerk Mahon presented Council with the following comparisons and quotes for copy machines. The Kyocera is quoted by Modern Copy Systems of Iola, Kansas and the Lanier is quoted by Midwest Office Technology of Lenexa, Kansas. Information was received from Dan Wynne concerning Sharp copiers, but no follow up with pricing was received. Two other companies did not respond.

It was noted that the present copier has been in service for 4½ years and originally cost slightly more than the new quotes received.

June 20, 2012	Black & White KYOCERA TASKALFA 3500i	Black & White LANIER MP 5002SP
Trade In?	Our Choice	Our Choice
Copies/Min	35	50
Max Monthly Rating	175,000 Pages	150,000+ Pages
Resolution	600 x 600	600 x 600
Number of Drawers	2	2
By-Pass Tray?	Yes	Yes
Copier Stand?	Yes	Yes
Standard Paper Supply (Per Drawer)	500	550

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By-Pas Paper Supply	100	100
Maximum Paper Size	12 x 18	11 x 17
Duplex?	Yes	Yes
Scan?	Yes	Yes
Scan both sides simultaneously?	Yes	Yes
Scan In Color?	Yes	Yes
Fax Adaptable?	Yes	Yes
Print Memory	1 GB	1 GB
Auto Doc Feeder?	Yes	Yes
Warranty	3 Yr	3 Yr

Maintenance Agreement	1st 3 years included in purchase price. Thereafter approximately .009 cents per copy. (\$90/Mth) Supplies not included.	Approximately .009 cents per copy beginning on date of purchase.
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Cost		
Black & White Copier	\$5,073.00	\$5,153.00
Color Copier 30 copies per min.	\$6,087.00	

✓ *Motion To Purchase Kyocera Copy Machine*

Council Member Meisel moved to purchase the black & white Kyocera Taskalfa 3500i in the amount of Five Thousand Seventy Three and no/00 Dollars (\$5073.00). Motion seconded by Council Member Shields, voted on, passed 5-0. Time: 7:59 p.m.

APPOINTMENT OF MARAIS DES CYGNES WATER ASSURANCE REP

- ❖ City Clerk Mahon noted that since he is leaving in September a new representative to the Marais des Cygne Water Assurance Board will need to be appointed
 - Board meets quarterly
 - Next meeting in late August and would like to take new rep to that meeting
 - Appointment not needed tonight but want Council to be thinking about replacement

HACH SERVICE CONTRACT

- ❖ Council reviewed proposed Hach Service Contract
- ❖ Superintendent Johnson noted that Hach can no longer get parts for one of the instruments
 - Why have contract for instrument that cannot be replaced?
- ❖ Supt. Johnson noted there are other companies that can also do the same type work

June 20, 2012

- ❖ Council concurred to have Supt. Johnson get with Hach to determine how agreement would be amended if we get new turbidity meter
 - Will also give Supt. Johnson opportunity to contact other companies about maintenance agreements

HEALTH INSURANCE PREMIUM RATE INCREASES

- ❖ City Clerk Gary Mahon reported that Health Insurance Premiums would go up July 1st
 - Rates increase every July and January
- ❖ During last year's budget preparations some council members expressed interest in having employees pay for a portion of their monthly premiums
 - Currently the city pays all of premium except amount for vision coverage
- ❖ Noted that increases have been significant the past two to three years
 - City paying entire cost helps substitute for no employee raises the past two years
 - Approximately 5% increase July 1st
- ❖ Mahon asked council to be thinking of how they want to handle the increase

PRELIMINARY 2013 BUDGET PREPARATION

- ❖ Council had been presented with preliminary 2013 budget for general and employee benefit fund
 - Purpose was to give council an idea of what would be required to hold mil levy to same as last year
 - Information from County Clerk not yet received so numbers will change
 - Preliminary shows 2013 budget holding mil levy to same as 2012
 - 2013 budget entered exactly as budget adopted in 2012
 - Budget in better shape this year
 - Thanks to belt tightening and departmental cooperation from past couple of years

OTHER BUSINESS:

Council Member Meisel introduced the following items for discussion: Mowing Charges & Computer

CHARGES FOR MOWING CITIZEN'S PROPERTY

- ❖ Council Member Meisel reported that she had been informed by a citizen that he did not mow his grass because he could let it grow and the City would eventually mow it cheaper than he could do himself.
 - City charges \$45 per hour
 - Reason it is cheaper is because City could mow faster
- ❖ No action taken by Council

COMPUTER FOR PUBLIC WORKS

- ❖ Council Member Meisel inquired about possibility of purchasing a low-end computer for the public works department
 - Currently have no access to internet without coming to City Hall
 - City has a remaining free wireless internet service that could be used
- ❖ Council Member Shields donated a used computer to the public works department

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EXECUTIVE SESSION:

✓ *Motion To Go Into Executive Session*

Council Member Fleming moved to go into executive session for legal and personnel for up to twenty (20) minutes following a ten (10) minute break. Motion seconded by Council Member Meisel, voted on, passed 5-0. Time: 8:34 p.m.

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

Open Session Resumed at 9:04 p.m.

OTHER BUSINESS:

CITY CLERK'S REPORT

Verbal: None

Written: None

NOTES AND COMMUNICATIONS TO COUNCIL:

a] Certificates of Attendance: Paul Filla – 2012 Civil Rights Symposium

ADJOURNMENT:

✓ *Motion to Adjourn Meeting*

There being no further business, **Council Member Robbins moved to adjourn the meeting. Motion seconded by Council Member Shields, voted on, Passed 5-0.** The Regular meeting was adjourned at 9:06 p.m.

I, _____
(Gary D. Mahon)

LaCygne City Clerk, do hereby declare the above to be true and correct, to the best of my knowledge, and do hereby subscribe my name this 20th day of June 2012.

July 03, 2012

REGULAR MEETING:

The La Cygne City Council met on Tuesday, July 03, 2012 at LaCygne City Hall. The meeting was held a day earlier than the regularly scheduled date due to Independence Day Holiday. Council Members present were: Jake Fleming; Linda Meisel; Travis Robbins; Esther Shields; and Robert Sullivan.

Others in attendance included, but not limited to: City Clerk Gary Mahon; City Attorney John Sutherland; Police Chief Paul Filla; Public Works Superintendent Jim Johnson; Fire Chief Dan Nasalroad; Le Roy Turpen; Judy Kinder; Devona Herrin; Suzanne Meisel; Nathan Cooley; and Fred Meisel.

Mayor Terry Weitman called the meeting to order at 7:00 p.m. Pledge of Allegiance was led by Police Chief Paul Filla.

MAYOR'S COMMENTS:

None

CONSENT AGENDA:

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

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

Minutes (2nd Draft) of June 20, 2012 Regular City Council Meeting;

Check Register: June 21 through July 03, 2012;

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

SPECIAL BUSINESS:

DENNIS ARNOLD – TAX ABATEMENT PROGRAMS

Dennis Arnold was not present.

DISCUSSION FROM THE FLOOR:

None

REPORTS OF CITY OFFICERS:

POLICE DEPARTMENT – CHIEF PAUL FILLA

- ❖ Monitoring use of fireworks throughout city
- ❖ "Take Back Drugs" day will be held September 29th
- ❖ Working on 2013 department budget

PUBLIC WORKS DEPARTMENT – SUPERINTENDENT JIM JOHNSON

- ❖ Water line bore under railroad scheduled for last week of July by Boatman Boring
- ❖ Basketball lighting at Bittiker Park now working
 - Replaced center light with different type/model

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- ❖ Adjusting water level of south water tower
 - Occasional spill over during this process

- ❖ Council Member Meisel: Do we need to replace original east and west lights on pole at Bittiker Park basketball?
 - City Clerk Mahon: Authority was given to park committee at earlier meeting to make changes they deemed appropriate
 - New center light was installed to determine if that type would be appropriate replacement

FIRE CHIEF DAN NASALROAD

- ❖ Two minor fires reported due to fireworks
- ❖ Has placed a burn-ban on open burning
 - Grills are O.K.

COUNCIL COMMITTEE REPORTS:

SEWER

- ❖ Council Member Meisel inquired about status of east lift station
 - Supt. Johnson: Parts scheduled to arrive after July 4th
 - Meisel: Lightning damage turned into insurance?
 - City Clerk Mahon will report it to insurance company

PARK

- ❖ Council Member Sullivan: Community Park Board exploring skate board park possibilities
 - Bittiker Park location?
 - Park Board Chairman Jodi Wade will present to council at a future meeting

- ❖ Police Chief Filla
 - Suggested raising camping fees to \$10 per night
 - Easier for police to collect fees without having to make change
 - Issue placard to campers to show that fees have been paid
 - Council Member Sullivan will present request to Park Board at their July meeting

CEMETERY

- ❖ Council Member Meisel:
 - 2 trees have been removed by Carl Marrs
 - Remainder of project scheduled to be completed this week

COMMUNITY BUILDING

- ❖ Council Member Shields:
 - Still looking for someone to fix restrooms
 - Have communicated with Kent Wade, Tony Williams, and Wilbur Fleming
 - ◆ Bob Calvert talked to City Treasurer Linda Elder today and expressed interest

July 03, 2012

SPECIAL COMMITTEES:

None.

UNFINISHED BUSINESS:

HACH SERVICE AGREEMENT

- ❖ Superintendent Jim Johnson:
 - Recommend removing item No. 8 for \$1086.00
 - Council concurred
 - Will contact Hach and report back at next meeting

NEW BUSINESS:

APPOINTMENT OF PLANNING COMMISSION MEMBER

Mayor Weitman appointed Dr. Jeff Fulk to fill the unexpired term of Mike DeMott on the Planning Commission. Term ends: May 2013

✓ *Motion To Approve Appointment of Dr. Jeff Fulk to Planning Commission*

Council Member Meisel moved to accept the Mayor's appointment of Dr. Jeff Fulk to the Planning Commission. Motion seconded by Council Member Shields, voted on, passed 5-0.
Time: 7:18 p.m.

ESTABLISH SALARY OF ED DENNIS

Mayor Weitman announced that Ed Dennis had been hired as a back-up solid waste compact operator. He will relieve Bill Craven for vacations, illness, etc. Motion is needed to set salary.

✓ *Motion To Hire Ed Dennis*

Council Member Meisel moved to hire Ed Dennis as back-up solid waste compact operator at rate of eight and no/00 dollars per hour (\$8.00/hr). Motion seconded by Council Member Fleming, voted on, passed 5-0. Time: 7:24 p.m.

2013 BUDGET PREPARATION:

- ❖ City Clerk Gary Mahon had prepared and previously distributed the 1st Draft of 2013 Budget to Mayor, Council and Department Heads
 - Shows many expenses in general fund recorded at same level as 2012 budget
 - Shows approximately the same mil levy as 2012
- ❖ City Clerk noted now necessary for Council to make improvements and fine tune budget to their liking

July 03, 2012

✓ *Motion To Hold Budget Workshop*

Council Member Meisel moved to hold a budget preparation workshop at 5:00 p.m., Monday July 9th at City Hall. Motion seconded by Council Member Fleming, voted on, passed 5-0.
Time: 7:24 p.m.

EXECUTIVE SESSION:

✓ *Motion To Go Into Executive Session*

Council Member Fleming moved to go into executive session for legal and personnel for up to thirty-five (35) minutes following a ten (10) minute break. Motion seconded by Council Member Robbins, voted on, passed 5-0. Time: 7:26 p.m.

In addition to the Mayor, Council Members, and City Attorney, others requesting time or invited into portions of the executive sessions included (but not limited to): City Clerk Gary Mahon; Fire Chief Dan Nasalroad; and Public Works Superintendent Jim Johnson.

Executive Session Extended

✓ *Motion To Extend Executive Session*

Council Member Meisel moved to extend the executive session by five (05) minutes for legal. Motion seconded by Council Member Fleming, voted on, passed 4-0. Time: 8:12 p.m.

Open Session Resumed at 8:17 p.m.

OTHER BUSINESS:

REQUEST FOR OLD COPY MACHINE

- ❖ Noting the purchase of a new copier for City Hall, Council Member Shields requested that the old Kyocera copy machine be donated or loaned to the historical museum
 - Public Works Superintendent and Fire Chief Dan Nasalroad reaffirmed they did not need it for their departments
 - City Clerk Mahon noted that City would have received nothing for trading in the old copier so decided to keep it and place in back room for miscellaneous projects
 - Copier not really needed by City Hall

✓ *Motion To Donate Old Kyocera Copier to Historical Museum*

Council Member Shields moved to donate the old city hall copy machine to the historical museum. Motion seconded by Council Member Meisel, voted on, passed 5-0. Time: 8:19 p.m.

VAN ROSS CONDEMNATION

- ❖ Mayor Weitman:

July 03, 2012

- Had been contacted by Van Ross' contractor asking for more time to make necessary repairs/demolition of porch and shed/garage
- Mayor requested that contractor send letter or bid stating his proposal with definite time for completion
 - City Clerk noted he had not received any letter

CITY CLERK'S REPORT

Verbal: None

Written: None

NOTES AND COMMUNICATIONS TO COUNCIL: None

- a] Demolition Bids Ad
- b] KLETC Completion Certificates – David Allen Huggins
- c] Minutes – May 31st Park Board Meeting
- d] Minutes – June 13th Chamber of Commerce

ADJOURNMENT:

✓ *Motion to Adjourn Meeting*

There being no further business, **Council Member Fleming moved to adjourn the meeting. Motion seconded by Council Member Shields, voted on, Passed 5-0.** The Regular meeting was adjourned at 8:22 p.m.

I, _____ LaCygne City Clerk, do hereby declare the
(Gary D. Mahon) above to be true and correct, to the best of my knowledge, and do hereby subscribe my name this 03rd day of July 2012.

July 18, 2012

REGULAR MEETING:

The La Cygne City Council met on Wednesday, July 18, 2012 at LaCygne City Hall. Council Members present were: Jake Fleming; Linda Meisel; Esther Shields; and Robert Sullivan. Absent: Travis Robbins.

Others in attendance included, but not limited to: City Clerk Gary Mahon; Police Chief Paul Filla; Public Works Superintendent Jim Johnson; Fire Chief Dan Nasalroad; Public Works Employee Jerome Moore; Le Roy Turpen; Robert Turpen; Devona Herrin; and Dennis Arnold.

Mayor Terry Weitman called the meeting to order at 7:01 p.m. Pledge of Allegiance was led by Police Chief Paul Filla.

July 18, 2012

MAYOR'S COMMENTS:

- ❖ Noted the opening of the new Dollar General store;
- ❖ Urged everyone to be cautious during the current heat wave.

CONSENT AGENDA:

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

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

Minutes (1st Draft) of July 03, 2012 Regular City Council Meeting;
Check Register: July 04 through July 18, 2012;
Budget Report: June 2012;
Treasury Report: June 2012;
Financial Statement: 2nd Quarter 2012.

Motion seconded by Council Member Fleming, voted on, passed 4-0. Time: 7:03 p.m.

SPECIAL BUSINESS:

DENNIS ARNOLD – TAX ABATEMENT PROGRAMS

- ❖ At Council's invitation, Linn County Economic Development Director Dennis Arnold visited with Council about re-establishing a Neighborhood Revitalization tax rebate program.
- ❖ Former program consisted of City, School, and County inter-local agreements
 - County stopped because of abuse in other cities
- ❖ City could tailor program to its needs and desires
 - Minimum amount of improvements to qualify
 - Time period for tax rebates
 - Amount of tax rebates
- ❖ Possible Downtown Revitalization Grant available for business in certain instances
 - 80% Loan and 20% Grant
 - Limited supply of money
 - Max = \$45,000
- ❖ Dennis will be holding a meeting on downtown economic development August 15th in La Cygne
 - City officials will be invited to attend
- ❖ Mayor Weitman will appoint a committee for tax abatement setup

DISCUSSION FROM THE FLOOR:

None

REPORTS OF CITY OFFICERS:

POLICE DEPARTMENT – CHIEF PAUL FILLA

- ❖ State recently inspected city dog pound
 - Passed
 - Water Mister has been added to help cool dogs

July 18, 2012

PUBLIC WORKS DEPARTMENT – SUPERINTENDENT JIM JOHNSON

- ❖ Requested purchase of Combustible Gas Indicator (CGI) (Gas Leak Detector)
 - Present indicators are ten and fifteen years old
 - \$3027.85 = cost to replace
 - Present indicators work sporadically
 - Request purchase of at least one CGI
 - The need to request purchase was known over a week ago
 - Mayor requested that in future known needed items be placed on agenda in advance of meetings to give entire some time to contemplate requests.

✓ *Motion To Approve Purchase of CGI unit*

Council Member Shields moved to approve the purchase of a combustible gas indicator (CGI) at a cost of Three Thousand Twenty Seven and 85/00 dollars (\$3027.85) plus shipping. Motion seconded by Council Member Meisel, voted on, passed 4-0. Time: 7:25 p.m.

- ❖ Public Works busy repairing broken water lines due to the dry weather
- ❖ Repairs to the east lift station are scheduled for tomorrow
 - Maintenance to the lift station generator will also be performed
- ❖ Water tower transmission transducer malfunctioned and has been repaired
- ❖ Noted that sewer lagoons are low due to hot dry weather
- ❖ Noted that employees have worked many overtime hours keeping the water plant up and running

FIRE CHIEF DAN NASALROAD

- ❖ Burn Ban is still in place
- ❖ Requested permission to start a Fireman Explorer Program
 - For youth ages 14+
 - Must have at least 5 members
 - Possible initial start-up cost of approximately \$20 per member
 - Program is affiliated with Boy Scouts of America
 - Insurance coverage through Boy Scouts
 - Dan willing to do – Good Program
 - Parents have to sign release form

✓ *Motion To Approve Establishment of Fireman's Explorer Program*

Council Member Meisel moved to authorize the Fire Chief to establish a Fireman's Explorer Program. Motion seconded by Council Member Shields, voted on, passed 4-0.

POLICE DEPARTMENT – CHIEF PAUL FILLA

- ❖ Noted a recent state-wide emergency management drill
 - Session held in La Cygne
- ❖ Noted that last Tuesday the Kansas Attorney General had subpoenaed Jerry Boone for alleged transgressions

- Investigations by the KBI had been ongoing for some time

July 18, 2012

COUNCIL MEMBER MEISEL

- ❖ Council Member Meisel inquired about billing for water usage by NCIS
 - Superintendent Johnson noted that most recent meter reading had been turned in to City Clerk
 - City Clerk Mahon concurred and reported that statement would be sent

COUNCIL COMMITTEE REPORTS:

COMMUNITY BUILDING

- ❖ Council Member Shields reported that bathrooms had been repaired and painted by Bob Calvert
 - Bill for the work = \$587.50
 - Would like to have the restroom floors painted
 - Noted that Bob Calvert charges \$10 per hour labor

✓ *Motion To Approve Bill for Community Building Restroom Repairs*

Council Member Shields moved to approve payment to Bob Calvert for community building restroom repairs in the amount of Five Hundred Eighty Seven and 50/00 Dollars (\$587.50). Motion seconded by Council Member Fleming, voted on, passed 4-0. Time: 7:40 p.m.

✓ *Motion To Authorize Painting of Community Building Restroom Floors*

Council Member Meisel moved to authorize up to One Hundred Fifty Dollars (\$150.00) to paint the community building bathroom floors using anti-skid paint. Motion seconded by Council Member Shields, voted on, passed 4-0. Time: 7:41 p.m.

SPECIAL COMMITTEES:

EMERGENCY MANAGEMENT

- ❖ Council Member Meisel
 - Recent drill on emergency procedures held with La Cygne hosting
 - Table Top drill
 - 15 counties
 - Good exercise

UNFINISHED BUSINESS:

HACH SERVICE AGREEMENT

- ❖ Superintendent Johnson and Dan Nasalroad
 - Line 8 of proposed contract is maintenance for equipment we can no longer get parts for
 - Suggest eliminating this line and approving remainder of contract.
 - \$5631.00 minus \$1086.00 = \$4545.00

✓ *Motion To Amend & Approve Hach Maintenance Contract*

Council Member Meisel moved to eliminate line 8 from proposed Hach maintenance contract and approve remainder for Four Thousand Five Hundred Forty Five and No/00 Dollars (\$4545.00). Motion seconded by Council Member Fleming, voted on, passed 4-0.
Time: 7:46 p.m.

July 18, 2012

NEW BUSINESS:

DEMOLITION BIDS; VAN ROSS PROPERTY; 402 WALNUT

Bids for demolition and removal of a garage/shed owned by Van Ross at 402 Walnut were opened and read by City Clerk Gary Mahon.

❖ Scott Stone	\$1200.00
❖ American Wood	\$1000.00
❖ Ryan Walker	\$1200.00
❖ Keith Singleton	\$2400.00

✓ *Motion To Accept American Wood Bid*

Council Member Meisel moved to grant bid for demolition of garage/shed at 402 Walnut owned by Van Ross to American Wood in the amount of One Thousand and No/00 Dollars (\$1,000.00). Motion seconded by Council Member Shields, voted on, passed 4-0. Time: 7:51 p.m.

RESOLUTION N. 357 – DECLARATION OF WATER WATCH

- ❖ City Clerk Gary Mahon reported that the Kansas Water Office requested that Stage 1 (Water Watch) of the City's Water Conservation Plan be enacted.
 - This action does not impose any restrictions or rationing
 - Alerts citizens to possible future problems and asks for voluntary conservation measures

✓ *Motion To Approve Resolution No. 357: Implementation of "Water Watch"*

Council Member Meisel moved to adopt Resolution No. 357 implementing a "Water Watch". Motion seconded by Council Member Fleming, voted on, passed 4-0. Time: 7:56 p.m.

SET 2013 BUDGET HEARING DATE

City Clerk Mahon reported on errors in the proposed 2013 budget that were discovered after the July 9th budget workshop.

- Income from motor vehicle taxes had not been included in calculating the employee benefits fund and portions of the general fund.
- Correction of the errors resulted in more budget authority for 2013
- Council was presented with hard copies of the corrections and adjustments made to bring proposed 2013 mil levy in line to the one originally agreed upon at the budget workshop.
- Budget hearing to be held August 15th
 - Budget could be lowered at that time but could not be raised

✓ *Motion To Set Budget Hearing*

Council Member Meisel moved to publish the budget as presented and hold the budget hearing during the regularly scheduled council meeting set for 7:00 p.m., Wednesday, August 15, 2012. Motion seconded by Council Member Shields, voted on, passed 4-0. Time: 8:03 p.m.

July 18, 2012

EXECUTIVE SESSION:

✓ *Motion To Go Into Executive Session*

Council Member Fleming moved to go into executive session for personnel and trade secrets for up to thirty (30) minutes following a ten (10) minute break. Motion seconded by Council Member Meisel, voted on, passed 4-0. Time: 8:04 p.m.

In addition to the Mayor and Council Members, others requesting time or invited into portions of the executive sessions included (but not limited to): Fire Chief Dan Nasalroad; Public Works Superintendent Jim Johnson; and Public Works Employee Jerome Moore.

Executive Session Extended

✓ *Motion To Extend Executive Session*

Council Member Fleming moved to extend the executive session for up to an additional fifteen (15) minutes for personnel. Motion seconded by Council Member Shields, voted on, passed 4-0. Time: 8:45 p.m.

Open Session Resumed at 9:00 p.m.

OTHER BUSINESS:

HAPPY BIRTHDAY TO COUNCIL MEMBER ESTHER SHIELDS

- ❖ Council Member Meisel announced that Friday would be Esther Shields birthday
- ❖ A sincere rendition of "Happy Birthday" was sung to Esther by all present

USE OF COMMUNITY BUILDING FOR FARMER'S MARKET

- ❖ Council Member Meisel inquired to the possibility of opening the front part of Community Building for use by Farmer's Market Vendors
 - No comments or interest expressed by other Council Members
 - No action taken

CITY CLERK'S REPORT

Verbal: None

Written: None

NOTES AND COMMUNICATIONS TO COUNCIL: None

None

July 18, 2012

ADJOURNMENT:

✓ *Motion to Adjourn Meeting*

There being no further business, **Council Member Fleming moved to adjourn the meeting. Motion seconded by Council Member Sullivan, voted on, Passed 4-0.** The Regular meeting was adjourned at 9:05 p.m.

I, _____
(Gary D. Mahon)

La Cygne City Clerk, do hereby declare the above to be true and correct, to the best of my knowledge, and do hereby subscribe my name this 18th day of July 2012.

August 01, 2012

REGULAR MEETING:

The La Cygne City Council met on Wednesday, August 01, 2012 at LaCygne City Hall. Council Members present were: Jake Fleming; Linda Meisel; Esther Shields; and Robert Sullivan. Absent: Travis Robbins.

Others in attendance included, but not limited to: City Clerk Gary Mahon; Police Chief Paul Filla; Public Works Superintendent Jim Johnson; Fire Chief Dan Nasalroad; Attorney Mike Shultz Judy Kinder; Devona Herrin; Jerry Boone; LeRoy Turpen; Danny Curtis; Robert Turpen; and Dawn Waisner.

Mayor Terry Weitman called the meeting to order at 7:00 p.m. Pledge of Allegiance was led by City Attorney John Sutherland.

MAYOR'S COMMENTS:

❖ Primary Elections next Tuesday, August 7th – Please Vote.

CONSENT AGENDA:

City Clerk Gary Mahon noted that Check #16547 Postmaster \$131.89 was not listed on the blue sheet section of the Council's packets but was listed on the check register they would be signing to be filed. Check #16547 was for mailing July's utility bills.

✓ *Motion to Approve Consent Agenda*

Council Member Fleming moved to accept the consent agenda as presented which consisted of:

Record of the Proceedings of the Governing Body
REGULAR MEETING Page 86 of 140 Pages **Year = 2012**

Minutes (1st Draft) of July 18, 2012 Regular City Council Meeting;
Check Register: July 19 through August 01, 2012;

Motion seconded by Council Member Fleming, voted on, passed 4-0. Time: 7:03 p.m.

August 01, 2012

DISCUSSION FROM THE FLOOR:

JERRY BOONE

- ❖ Expressed displeasure with codes enforcement of abandoned vehicles throughout City and overall trashiness of some properties
 - Observed the same junk vehicles on streets/property for several weeks/months
 - Considers Industrial Park to be an unsightly mess
 - Requested Council Members to drive through park to determine for themselves
- ❖ Codes Officer Filla noted that letters have been sent to many of the violators
 - Couple of the vehicles are in court being processed with others still to be addressed
- ❖ Mayor Weitman noted that enforcement of the violations is a work in progress
 - There is a legal process that must be adhered to

REPORTS OF CITY OFFICERS:

POLICE DEPARTMENT – CHIEF PAUL FILLA

- ❖ Shed/Garage is down at the Van Ross property
- ❖ Storm drain at Silver Creek Pharmacy needs grate
 - Pharmacy is cooperating

PUBLIC WORKS DEPARTMENT – SUPERINTENDENT JIM JOHNSON

- ❖ Averaging a water leak repair every other day due to the extremely dry weather
- ❖ Contacted Kansas Rural Water Association for assistance with water tower circulation issues
- ❖ Lisa Elmore will return to work from maternity leave on August 6th
- ❖ Boatwright re-scheduled to commence bore under railroad at Swan street on August 20th
- ❖ Repairs to the east sewer lift station are now complete

FIRE CHIEF DAN NASALROAD

- ❖ No Burning due to dry weather
- ❖ Explorer Scout charter meeting to be August 7th

COUNCIL COMMITTEE REPORTS:

PARK

- ❖ Council Member Sullivan
 - Last park board meeting well attended by area youth in response to possible skate board park
 - Possible designs were discussed
 - Convert ½ of existing tennis court into skate board park???

COMMUNITY BUILDING

- ❖ Council Member Shields
 - Ceilings in restrooms look good
 - Looking for someone to paint floors
 - Bob Calvert does not want to do the floors

August 01, 2012

SPECIAL COMMITTEES:

None

UNFINISHED BUSINESS:

TAX ABATEMENT COMMITTEE

Mayor Weitman appointed Council Members Linda Meisel and Esther Shields to a special tax abatement committee to study possible ways/means to encourage upgrading existing properties or construction of new.

✓ *Motion To Approve Appointments to Special Tax Abatement Committee*

Council Member Fleming moved to approve the Mayor's appointment of Council Members Esther Shields and Linda Meisel to a special committee to study property tax abatement possibilities. Motion seconded by Council Member Sullivan, voted on, passed 4-0. Time: 7:18 p.m.

NEW BUSINESS:

APPOINTMENT OF MARAIS DES CYGNES WATER ASSURANCE BOARD REPRESENTATIVE

- ❖ Mayor Weitman appointed Council Member Esther Shields to be the City's representative on the Marais des Cygnes Water Assurance Board
 - Esther will be replacing City Clerk Gary Mahon who will be leaving in September

✓ *Motion To Accept Mayor's Appointment to Marais des Cygnes Water Assurance Board*

Council Member Meisel moved to approve the Mayor's appointment of Esther Shields to the Marais des Cygnes Water Assurance Board. Motion seconded by Council Member Fleming, voted on, passed 4-0. Time: 7:21 p.m.

APPOINTMENT OF REPRESENTATIVE TO KMGGA BOARD OF DIRECTORS

Mayor Weitman appointed Devona Herrin to be the City's Primary Director on the KMGGA Board of Directors replacing City Clerk Gary Mahon whose term expires August 31, 2012. (It was noted that Jerome Moore is the designated Alternate Director and is a permanent appointment)

✓ *Motion To Appoint Devona Herrin to KMGGA Board of Directors*

Council Member Meisel moved to approve the Mayor's appointment of Devona Herrin as Primary Director to the KMGGA Board of Directors. Motion seconded by Council Member Shields, voted on, passed 4-0.

August 01, 2012

COMMUNITY BUILDING WAIVER – CUB SCOUTS – LAST WEEK OF AUGUST

- ❖ Dawn Waisner addressed Council
 - Requested waiver of Community Building rental fees for cub scouts
 - August 26 through September 02, 2012
 - Building to be used for preparations and conducting garage sale
 - ◆ Cub Scouts have many, many items donated and takes several days to move in and set up donated sale items

✓ *Motion To Waive Cub Scouts Community Building Rental Fees*

Council Member Meisel moved to waive the community building rental fees for the cub scouts August 26 through September 02, 2012. Motion seconded by Council Member Shields, voted on, passed 4-0. Time: 7:24 p.m.

ORDINANCE NO. 1408 – STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES

✓ *Motion To Approve Ordinance No 1408 – Standard Traffic Ordinance For Kansas Cities*

Council Member Shields moved to approve Ordinance No. 1408. Motion seconded by Council Member Meisel, voted on, passed 4-0. Time: 7:24 p.m.

ORDINANCE NO. 1409 – PUBLIC UNIFORM OFFENSE CODE FOR KANSAS CITIES

✓ *Motion To Approve Ordinance No 1409 – Public Uniform Offense Code For Kansas Cities*

Council Member Meisel moved to approve Ordinance No. 1409. Motion seconded by Council Member Shields, voted on, passed 4-0. Time: 7:24 p.m.

OTHER BUSINESS:

COUNCIL MEMBER SHIELDS

- ❖ Reported that Iota Tau had removed all of their Christmas Decorations from the historical building
- ❖ Some decorations belonging to the City still remained
 - Santa and Reindeer that used to be displayed on top of community building

- Council Member Meisel will contact a person she feels may be interested in restoring the santa/reindeer display

EXECUTIVE SESSION:

✓ *Motion To Go Into Executive Session*

Council Member Fleming moved to go into executive session for personnel and legal for up to forty (40) minutes following a ten (10) minute break. Motion seconded by Council Member Meisel, voted on, passed 4-0. Time: 7:28 p.m.

August 01, 2012

In addition to the Mayor, City Attorney, and Council Members, others requesting time or invited into portions of the executive sessions included (but not limited to): City Clerk Gary Mahon; Police Chief Paul Filla; and Attorney Mike Shultz.

Open Session Resumed at 8:07 p.m.

OTHER BUSINESS:

RURAL WATER DISTRICT MEDIATION AGREEMENTS

- ❖ Attorney Mike Shultz noted that settlement agreements with Rural Water Districts #1 and #3 were finalized today (August 01, 2012)
 - City to receive up-front cash payment of \$45,000.00
 - Rural Water Districts to pay-off remaining principal and interest of City's current water bonds
 - Rural Water Districts to purchase their water needs that are above their monthly commitments to PWWD 13 from the City of La Cygne
 - This amount is predicted to increase over the years
- ❖ It is anticipated this agreement will put the City back on a firm financial footing
- ❖ An error on the agreement with Rural Water District No. 1 was noted
 - Page 3; No. 6; Paragraph A should read case No. 08-CV-276

✓ *Motion To Approve Settlement Agreement With Rural Water Districts No. 1 and No. 3*

Noting the change to reflect case number 08-CV-276 in Paragraph A of No. 6 on Page 3 of the agreement with Rural Water District No. 1, Council Member Meisel moved that the City Council approve the settlement agreements between the City and Rural Water District No. 1 and Rural Water District No. 3 and authorize the Mayor to execute the documents on behalf of the City. Motion seconded by Council Member Shields, voted on, passed 4-0. Time: 8:12 p.m.

CITY CLERK'S REPORT

Verbal: None

Written: None

NOTES AND COMMUNICATIONS TO COUNCIL: None

a] Minutes – Chamber of Commerce – July 11, 2012

ADJOURNMENT:

✓ *Motion to Adjourn Meeting*

There being no further business, **Council Member Fleming moved to adjourn the meeting. Motion seconded by Council Member Meisel, voted on, Passed 4-0.** The Regular meeting was adjourned at 8:13 p.m.

August 01, 2012

I, _____ LaCygne City Clerk, do hereby declare the
(Gary D. Mahon) above to be true and correct, to the best of my
knowledge, and do hereby subscribe my name
this 01st day of August 2012.

August 15, 2012

REGULAR MEETING:

The La Cygne City Council met on Wednesday, August 15, 2012 at LaCygne City Hall. Council Members present were: Jake Fleming; Linda Meisel; Travis Robbins; Esther Shields; and Robert Sullivan.

Others in attendance included, but not limited to: City Clerk Gary Mahon; Police Chief Paul Filla; Public Works Superintendent Jim Johnson; Fire Chief Dan Nasalroad; Police Officer Tate West; Police Officer Cindy Gillespie; Police Officer Allen Huggins; Sara Huggins; Judy Kinder; Devona Herrin; LeRoy Turpen; Danny Curtis; Robert Turpen; Fred Meisel; James McCarson; John Erhart; Dorothy Erhart; Kenny Mack; Chris Casey; Gina Casey; Shannon Thomas; Mary Thomas; and Brad Barrett.

Mayor Terry Weitman called the meeting to order at 7:00 p.m. Pledge of Allegiance was led by City Clerk Gary Mahon.

MAYOR'S COMMENTS:

- ❖ City Wide Garage Sale on Saturday, September 1st.
- ❖ Swan Fest on Saturday, September 8th.
- ❖ Expressed appreciation for the actions of Public Works' employees and the Fire Department for working on the live 4" water main line break today. Also noted the Phone Company helped.

August 15, 2012

CONSENT AGENDA:

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

Council Member Meisel moved to accept the consent agenda as presented which consisted of:

Minutes (1st Draft) of August 01, 2012 Regular City Council Meeting;
Check Register: August 02, through August 15, 2012;

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

PUBLIC HEARING:

2013 BUDGET HEARING

Mayor Weitman opened the 2013 Budget Hearing at 7:04 p.m.

- ❖ Council holding the city costs relatively flat with the 2013 Budget.
- ❖ Open for any comments or questions from the floor.
- ❖ There were no comments or questions.

Mayor Weitman closed the 2013 Budget Hearing at 7:05 p.m.

✓ ***Motion To Approve 2013 City Budget***

Council Member Robbins moved to approve the City of La Cygne 2013 Budget. Motion seconded by Council Member Fleming, voted on, passed 5-0. Time: 7:06 p.m.

VICIOUS DOG HEARING – CHRIS & GINA CASEY

Tabled until later in the meeting.

DISCUSSION FROM THE FLOOR:

JOHN ERHART – HORSES'

- ❖ Two horses on property at 117 N. 1st, La Cygne.
- ❖ Location is 1,000 square feet shy of one acre.
- ❖ City Codes require a minimum of 1 acre per horse in the city limits.
- ❖ The Erhart's were asked to attend the council meeting to discuss the concerns.
- ❖ Mr. Erhart comments:
 - Understands 1,000 square feet is the issue and asked for some consideration.
 - Taking care of the animals and their refuse, neighbors are helping to clean every day.
 - Asked who complained.
 - Felt as a rural community should have ability to have more animals in the city.
 - How long does he have to get rid of the horses.
- ❖ Assistant Codes Officer West:
 - The violation of codes was brought to the city's attention shortly after the horses arrived.
 - Allowing one exception would require the same allowance to others who may not be in an area of the city where the neighbors do not care, &/or maintenance not as good.
- ❖ Codes Officer Filla:

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- Other violations of animals are also being addressed.
- ❖ Neighbor, Mr. Mack:
 - Live next door and help clean up after the horses.
 - The neighbors have no problem with the horses being located where they are.
- ❖ City Attorney Sutherland:
 - Action should be determined depending on number of horses.
- ❖ City Council:
 - Animals play an important part in a lot of peoples' lives.
 - Have not been a bother to the neighbors.
 - Have to consider following the city codes.
- ❖ Mayor Weitman:
 - Not sure what choices the city council has.
 - Here to follow ordinances and try to see what works within those parameters.
 - Consider delaying action until the next regular meeting to do proper research for 1 horse.
 - If this were a zoning issue variances can be granted.
 - This is an ordinance violation so will review for what might be done for one horse.
 - Asked Mr. Erhart to also be looking for different locations for the horse &/or horses.

✓ *Motion To Approve Tabling Action on Horse Violation Code until September 5th meeting.*

Council Member Meisel moved to table any action regarding the horses until the September 5th regular City Council meeting. Motion seconded by Council Member Robbins, voted on, passed 5-0. Time: 7:22 p.m.

August 15, 2012

EXECUTIVE SESSION:

✓ *Motion To Go Into Executive Session*

Council Member Fleming moved to go into executive session for legal for up to ten (10) minutes. Motion seconded by Council Member Meisel, voted on, passed 5-0. Time: 7:23 p.m.

In addition to the Mayor, City Attorney, and Council Members, others requesting time or invited into a portion of the executive session included (but not limited to): Police Chief Paul Filla.

PUBLIC HEARING (Continued):

VICIOUS DOG HEARING – CHRIS & GINA CASEY

Mayor Weitman opened the Vicious Dog Determination Hearing at 7:34 p.m.

- ❖ Mayor Weitman noted hearing was to determine if the dog in question, owned by Chris & Gina Casey, was to be declared a vicious dog.
- ❖ Police Chief Filla presented history of first dog bite, the dog running-at-large, and the second dog bite of man and another dog.
- ❖ Mr. Casey presented:
 - Officer West had testified at first dog bite for the dog as he was mating with a female dog at the time of incident.
 - The dog only gets loose due to their human error.
 - The dog did break the leash this time and would not be put out on a leash again.

- Presented a letter from the vet that the dog was well behaved while in the vet's care and appears well behaved around other people.
- Presented dictionary definition of 'vicious'.
- Dog is a chow and hound dog mix.
- Would personally put down any truly 'vicious' dog.
- Dog is scheduled to be neutered this Friday to decrease any aggressive drive.
- Will install gate on front deck for retaining if a youth possibly opens front door by accident.
- Thanked those who have taken good care of him while contained.
- ❖ Mayor Weitman noted the council's choice was whether or not to declare the dog vicious. This only determines actions to correct and steps to be met before dog is released.
- ❖ Officer West:
 - Attributed first incident to extenuating circumstances and some aggressiveness.
 - While around the dog now it has behaved but possesses ability to be aggressive.
 - Dog should be muzzled while around other people.
- ❖ Police Chief Filla reported:
 - It had been researched further and the judge cannot determine to put the dog down.
 - Owners should be aware of monetary consequences of any further incidents with this dog.
 - When owning a vicious dog there are public safety concerns and more severe consequences.
- ❖ City Attorney Sutherland read aloud City Code 2-201(e), city definition of vicious dog; and explained possible future action if dog is found loose.

✓ *Motion To Declare Chris & Gina Casey's dog Vicious*

Council Member Robbins moved to declare the dog vicious. Motion seconded by Council Member Fleming, voted on, passed 5-0. Time: 7:50 p.m.

✓ *Motion To Close Public Hearing*

Council Member Meisel moved to close the public hearing. Motion seconded by Council Member Robbins, voted on, passed 5-0. Time: 7:51 p.m.

Determined the dog could be released after Officer West inspected the pen for security and the animal boarding fees paid. Agreed to do inspection of pen and accept fees now.

August 15, 2012

REPORTS OF CITY OFFICERS:

POLICE DEPARTMENT – CHIEF PAUL FILLA

- ❖ An 11:00 p.m. gas leak on private property was located and responded to by on-duty officer.
- ❖ Kids are back in school.
- ❖ Have four pages of codes violations preparing to address.
- ❖ Have found approximately 50 homes with dogs without city dog licenses and will address.

PUBLIC WORKS DEPARTMENT – SUPERINTENDENT JIM JOHNSON

- ❖ **PUBLIC WORK'S SCOOTER DONATION TO PVHS**

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- Brad Barrett asked for the three electric scooters no longer in use by public works to be donated to the PVHS to provide mobility to two students with mobility issues.
- Jim Johnson agreed public works is not using the scooters, nor are there any plans to in the future.

✓ *Motion To Donate Three Scooters to PVHS*

Council Member Meisel moved to donate the three scooters to PVHS. Motion seconded by Council Member Shields, voted on, passed 5-0. Time: 7:58 p.m.

August 15, 2012

❖ **THAYER PARK WATER CONNECTIONS**

- Jim Johnson reported there is a small water leak on the Thayer Park property. The question has been asked of public works to install a water meter and hydrant for the park. Who is to pay for this? An ideal time to install would be while repairing water leak.
- Council members discussed if this was a project the city should totally fund; and, if city provided labor, would Chamber pay for materials, sharing in the cost; and, need a clear title to property.

✓ *Motion for City to Install Water Meter after Clear Title to Property*

Council Member Shields moved for city to install the water meter after there is a clear title to the property. Motion died for lack of a second. Time: 8:00 p.m.

❖ **WASTEWATER TRAINING SEMINARS**

- Kansas Rural Water Association is hosting training seminars that include KDHE approved wastewater credits on September 19th and 20th in Olathe, Kansas.
- Requested attendance by Jerome Moore for wastewater credit hours. Unsure if any fees.

✓ *Motion for Jerome Moore to Attend Wastewater Training Seminar*

Council Member Meisel moved for Jerome Moore to attend wastewater training seminar for certification credits. Motion seconded by Council Member Fleming, voted on, passed 5-0. Time: 8:04 p.m.

- ❖ Thanked Officer Huggins for his quick response to the late night gas leak.
- ❖ Thanked the Fire Department for pumping the water today while public works repaired the water leak. Also thanked the phone company personnel for their help; and, city public works employees for handling the 4" water line break.
- ❖ Now have patch to begin some road dips. Will try to fill in the deepest dips.
- ❖ The railroad bore job is now scheduled for the 20th.
- ❖ The Lift Station repair bills have been submitted and will now be turned into the insurance company.
- ❖ Lisa Elmore has returned to work.

August 15, 2012

FIRE CHIEF DAN NASALROAD

- ❖ No Burning due to dry weather still in place
- ❖ Thanks for Lisa Thomas from Learning for Life for coming to La Cygne for class. Danny Curtis, Jerome Mitzner, Jake Fleming and Dan Nasalroad received Youth Protection and Adult Leader training last Tuesday. Received start-up help, including fees, books and t-shirts, from the Kansas State Firefighters Assoc. The La Cygne Fire Explorer Troop #2556 is now up and running with ten students between the ages of 14 – 19 years in High School.
- ❖ House Numbers *not* on homes is still a concern. Need to continue to stress the need for these numbers in the city newsletter and on bills again. Police Chief Filla reported notices could be sent out if need be and owners can be fined.

COUNCIL COMMITTEE REPORTS:

PUBLIC SAFETY

- ❖ Fire Chief Nasalroad
 - The next Fire Explorer Troop meeting is next Tuesday at 7:00 p.m.

SPECIAL COMMITTEES:

TAX ABATEMENT COMMITTEE

- ❖ Council Member Shields
 - Reviewed existing tax abatement information at city hall
 - Found nothing on historical buildings
- ❖ Council Member Meisel
 - Reviewed other cities' information on buildings.
- ❖ Mayor Weitman
 - The city is in control of own tax dollars and would have to adopt some plan to reduce any future increases in taxes for improvements of building to provide tax savings to owner.
- ❖ City Clerk Mahon
 - Briefly mentioned several options available for obtaining these incentives.

EMERGENCY MANAGEMENT COMMITTEE

- ❖ Council Member Meisel
 - Announced Emergency Management had received a \$1,000 grant from Enbridge.

UNFINISHED BUSINESS:

NONE

August 15, 2012

NEW BUSINESS:

RESOLUTION NO. 358: SWAN FEST STREET CLOSING

- ❖ The resolution is to provide for the temporary closing and blocking of certain city streets to accommodate 2012 Swan Fest activities, including a parade, booths, and emergency personnel to provide public emergency training.

✓ *Motion To Approve Resolution No. 358: Swan Fest Street Closing*

Council Member Shields moved to approve Resolution No. 358. Motion seconded by Council Member Fleming, voted on, passed 5-0. Time: 8:16 p.m.

LEAGUE OF KANSAS MUNICIPALITIES ANNUAL CONFERENCE

- ❖ Council Member Sullivan requested permission to attend the annual LKM conference and the pre-conference Leadership Training on Municipal Finance. The conference costs would include overnight stay.
- ❖ City Attorney Sutherland requested to attend the City Attorney's CLE training session portion only.

✓ *Motion To Approve Council Member Sullivan to Attend Conference and Training Class; and, for City Attorney Sutherland to attend the \$65.00 Attorney Forum.*

Council Member Robbins moved to approve Council Member Sullivan to attend the LKM Conference and pre-class and for Attorney Sutherland to attend the \$65 attorney forum. Motion seconded by Council Member Fleming, voted on, passed 5-0. Time: 8:18 p.m.

VOTING DELEGATE FOR LKM CONFERENCE

- ❖ Discussed appointing city's voting delegate to the conference and when form is received will proceed with paperwork back to the League.

✓ *Motion To Appoint Voting Delegate for LKM Conference*

Council Member Robbins moved to appoint Council Member Sullivan as the city's voting delegate at the LKM Conference in October. Motion seconded by Council Member Shields, voted on, passed 5-0. Time: 8:19 p.m.

HEALTH PLAN ANNUAL ENROLLMENT TRAINING

- ❖ Requested attendance to one of the city's health insurance carrier's Plan Year 2013 Open Enrollment Personnel Officer Training session. Target location is Chanute on September 13th. Several changes are pending for the upcoming year.

✓ *Motion To Approve Devona Herrin to attend the health insurance training session*

Council Member Robbins moved to approve Devona Herrin attending the health insurance training session on Thursday, September 13th in Chanute, or if needed another days session. Motion seconded by Council Member Fleming, voted on, passed 5-0. Time: 8:21 p.m.

August 15, 2012

PUBLIC WORK'S SCOOTER DONATION TO PVHS

- ❖ Addressed earlier in the meeting.

THAYER PARK WATER CONNECTIONS

- ❖ Addressed earlier in the meeting.

RESOLUTION 359: GAS PUBLIC AWARENESS PROGRAM

- ❖ The Natural Gas Public Awareness Program City Resolution No. 359 provides for the city's desire to acknowledge its commitment to provide public and monetary support to the program.

✓ *Motion To Approve Resolution No. 359: Gas Public Awareness Program*

Council Member Fleming moved to approve Resolution No. 359. Motion seconded by Council Member Meisel, voted on, passed 5-0. Time: 8:23 p.m.

OTHER BUSINESS:

CHRIS & GINA CASEY'S DOG PEN INSPECTION

- ❖ Police Chief Filla reported the dog pen had been inspected and found satisfactory.

EXECUTIVE SESSION:

✓ *Motion To Go Into Executive Session*

Council Member Fleming moved to go into executive session for personnel and legal for up to forty-five (45) minutes following a ten (10) minute break. Motion seconded by Council Member Robbins, voted on, passed 5-0. Time: 8:25 p.m.

In addition to the Mayor, City Attorney, and Council Members, others requesting time or invited into portions of the executive sessions included (but not limited to): City Clerk Gary Mahon; Devona Herrin; Police Chief Paul Filla; and Public Works Superintendent Jim Johnson.

Open Session Resumed at 9:14 p.m.

OTHER BUSINESS:

NONE

August 15, 2012

CITY CLERK'S REPORT

Verbal: None

Written: None

NOTES AND COMMUNICATIONS TO COUNCIL:

- a] KLETC Certification: Tate West
- b] Minutes – Park Board – July 26, 2012

ADJOURNMENT:

✓ *Motion to Adjourn Meeting*

There being no further business, **Council Member Shields moved to adjourn the meeting. Motion seconded by Council Member Robbins, voted on, Passed 5-0.** The Regular meeting was adjourned at 9:16 p.m.

I, _____ on behalf of LaCygne City Clerk, do hereby
(Devona Herrin for City Clerk Gary D. Mahon) declare the above to be true and correct, to the best of my knowledge, and do hereby subscribe my name this 15th day of August 2012.

September 5, 2012

REGULAR MEETING:

The La Cygne City Council met on Wednesday, September 05, 2012 at LaCygne City Hall. Council Members present were: Jake Fleming; Linda Meisel; Travis Robbins; Esther Shields; and Robert Sullivan.

Others in attendance included, but not limited to: City Clerk Devona Herrin; City Attorney John Sutherland; Police Chief Paul Filla; Public Works Superintendent Jim Johnson; Fire Chief Dan Nasalroad; Police Officer Tate West; Scott Stainbrook; Le Roy Turpen; Judy Kinder; Brad Barrett; Danny Curtis; and Fred Meisel.

Mayor Terry Weitman called the meeting to order at 7:00 p.m. Pledge of Allegiance was led by Council Member Linda Meisel.

MAYOR'S COMMENTS:

- Reminded everyone of the Swan Fest this Saturday, September 8th

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- The mayor read a Thank You card from Cub Scout Pack 3047 and Boy Scout Troop 47 for allowing them to use the Community Building for their fundraising garage sale. \$138.00 of the proceeds will be donated to the La Cygne Food Pantry.

September 5, 2012

OATH OF OFFICE

Mayor Terry Weitman recommended amending City Clerk appointment date change to September 5th for Devona Herrin as City Clerk. Gary Mahon is retiring earlier than originally planned.

✓ *Motion To Amend Appointment of Devona Herrin as City Clerk Effective September 5, 2012*

Council Member Robbins moved to accept the Mayor's appointment of Devona Herrin as City Clerk effective September 5, 2012. Motion seconded by Council Member Fleming, voted on, passed 5-0. Time: 7:05 p.m.

Mayor Weitman proceeded with swearing in City Clerk Devona Herrin.

CONSENT AGENDA:

✓ *Motion to Approve Consent Agenda*

Council Member Shields moved to approve the consent agenda which consisted of:
Minutes (1st Draft) of August 15, 2012 Regular City Council Meeting;
Check Register: August 16 through September 05, 2012;
Motion seconded by Council Member Fleming, voted on, passed 5-0. Time: 7:08 p.m.

DISCUSSION FROM THE FLOOR:

- ❖ Brad Barrett presented photos of the previously donated public works scooters after they had been cleaned up, and of the high school students who are using those scooters for mobility through the high school. Brad expressed their appreciation to the city for donating the scooters.

REPORTS OF CITY OFFICERS:

POLICE DEPARTMENT – CHIEF PAUL FILLA

- ❖ Reported "Night Out Against Crime" will be Saturday evening, September 29th at the park.
- ❖ Reminded everyone of the activities at the Swan Fest Saturday.
- ❖ The horses discussed at the last meeting have been removed from the premises and the fences are down. Letters have been sent to others who have animals outside the codes and contacts have been made.

September 5, 2012

PUBLIC WORKS DEPARTMENT – SUPERINTENDENT JIM JOHNSON

- ❖ Have had multiple major water line break repairs and some gas line break repairs in the last two weeks. Exhausting for public works employees. One involved a cave in with an employee in the hole, and he had to be pulled out. Looking for trench equipment for future digging in deep areas to protect the employee(s). Council agreed needed equipment for safety.
- ❖ The boring under the railroad on Swan Street has been completed. The actual cost of the bore was \$1,700 less than estimated. Also, the railroad did not bill for a flagman after all, so saved those dollars. The water is now back on in the cemetery.
- ❖ Discussed needs for Saturday's Swan Fest; that public works had not been contacted by anyone; and, they were really busy handling the leaks around town. Public works will do what they can on short notice and all hoped there would be improved communication in the future.

CITY ATTORNEY JOHN SUTHERLAND

- ❖ Discussed property deed for the Thayer Park Project was still not complete.

FIRE CHIEF DAN NASALROAD

- ❖ Lifted City Burn Ban since the recent rains. Asked everyone to continue to be careful.
- ❖ The building of the 14 X 14, two story fire training structure has begun by the fire station.
- ❖ There will be a *Safety City* at the Swan Fest to include the Fire Department, the Police, the Ambulance Service, the Highway Patrol, and a Pink Cancer Fire Truck.

COUNCIL COMMITTEE REPORTS:

CEMETERY

- ❖ Council Member Meisel:
 - The cemetery has been mowed and the weed-eater used. Looks good.

COMMUNITY BUILDING

- ❖ Council Member Shields:
 - Good Samaritan free-will donation dinner there Saturday night.
- ❖ Council Member Meisel:
 - Water from the ceiling &/or walls has been found after the recent rains. Some of the water was running in the electrical box on the west wall by the back door. The whole wall moves when you shut the back door. Also, was hearing some strange noises like tin flapping when there were strong winds.
 - Three tables were found broke when moving tables out to put up.

SPECIAL COMMITTEES:

- ❖ Nothing new for Tax Rebate Committee.

UNFINISHED BUSINESS:

NONE.

September 5, 2012

NEW BUSINESS:

DISCUSS WIRELESS PHONE SERVICE FOR CITY EMPLOYEES

City Clerk Herrin presented a request from city employees to review the wireless service for better reception and more reliable equipment. Discussed some initial inquiry information on rates and equipment from Peoples Telephone and US Cellular. The current carrier is dropping calls and does not have sturdy phones for public works durability. The current carrier's contract has expired. Will request to test the phones from the two different phone systems and report back at the next meeting.

LETTER OF SUPPORT FOR LINN COUNTY GENERAL TRANSPORTATION PROGRAM

✓ *Motion To Approve Letter of Support for Linn County General Transportation Program*

Council Member Shields moved to approve the Letter of Support for Linn County General Transportation Program. Motion seconded by Council Member Robbins, voted on, passed 5-0. Time: 7:53 p.m.

ATTEND KPERS EMPLOYER WORKSHOP

✓ *Motion To Approve City Clerk to Attend KPERS Employer Workshop*

Council Member Robbins moved to approve City Clerk to attend a KPERS Employer Workshop on September 27th, or a date as needed. Motion seconded by Council Member Meisel, voted on, passed 5-0. Time: 7:55 p.m.

MASTER PLAN MEETING ANNOUNCEMENT

- ❖ Council Member Meisel:
 - A Master Plan Meeting has been set up on Monday, September 10th, at 7:00 p.m. in the Community Building. This meeting is for all groups involved in improving the city to discuss plans. Notice there may be a City Council quorum present.

COUNCIL RIDING IN SWAN FEST PARADE

- ❖ Council Member Meisel:
 - Asked if any of the Council Members were riding in the parade. A pickup truck will be in the parade for Council Members to ride.

EXECUTIVE SESSION:

✓ *Motion To Go Into Executive Session*

Council Member Fleming moved to go into executive session for personnel for up to thirty-five (35) minutes. Motion seconded by Council Member Robbins, voted on, passed 5-0. Time: 7:58 p.m.

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

September 5, 2012

Executive Session Extended

✓ *Motion To Extend Executive Session*

Council Member Fleming moved to extend the executive session by ten (10) minutes for personnel. Motion seconded by Council Member Shields, voted on, passed 5-0. Time: 8:37 p.m.

Open Session Resumed at 8:47 p.m.

OTHER BUSINESS:

INTERCONNECT WITH RURAL WATER DISTRICT #3

❖ Shafer, Kline, & Warren, Inc. (SKW) had been contacted to review the existing emergency water supply connection to Linn Co. RWD #3 to determine the target design flow and prepare plans and specifications for the construction of an emergency connection between the rural water district and the City. SKW prepared such agreement for the city's approval.

✓ *Motion To Approve Mayor to Sign Professional Services Agreement with SKW for Interconnect*

Council Member Meisel moved to approve the Mayor to sign the contract agreement with Shafer, Kline & Warren for the emergency water supply connection to Linn County RWD #3. Motion seconded by Council Member Robbins, voted on, passed 5-0. Time: 8:57 p.m.

KRWA WORKSHOP FOR UTILITY FUNDING MAINTENANCE

❖ City Clerk Herrin asked about attending a KRWA workshop for Utility Funding Maintenance in Iola Kansas the morning of September 13th if there was no cost and it could be worked out in conjunction with an already scheduled meeting that afternoon in Chanute.

✓ *Motion To Approve City Clerk to attend KRWA Workshop*

Council Member Meisel moved to approve City Clerk Herrin to attend the KRWA workshop on Utility Funding Maintenance if the schedule worked and there was not cost to attend. Motion seconded by Council Member Shields, voted on, passed 5-0. Time: 9:00 p.m.

WATER RECORDS RETURNED FROM ATTORNEY SHULTZ?

Discussed the water records had not been returned from Attorney Shultz.

September 5, 2012

CITY CLERK'S REPORT

Verbal: An office chair for the general office and one for the police department were being purchased as the ones being used were broke.

Written: None

NOTES AND COMMUNICATIONS TO COUNCIL: None

a] August 8, 2012 La Cygne Chamber of Commerce Minutes

ADJOURNMENT:

✓ *Motion to Adjourn Meeting*

There being no further business, **Council Member Fleming moved to adjourn the meeting. Motion seconded by Council Member Robbins, voted on, Passed 5-0.** The Regular meeting was adjourned at 9:03 p.m.

I, _____ LaCygne City Clerk, do hereby declare the
(Devona Herrin) above to be true and correct, to the best of my knowledge, and do hereby subscribe my name this 05th day of September 2012.

September 19, 2012

REGULAR MEETING:

The La Cygne City Council met on Wednesday, September 19, 2012 at La Cygne City Hall. Council Members present were: Jake Fleming; Linda Meisel; Travis Robbins; Esther Shields; and Robert Sullivan.

Others in attendance included, but not limited to: City Clerk Devona Herrin; City Attorney John Sutherland; Police Chief Paul Filla; Public Works Superintendent Jim Johnson; Fire Chief Dan Nasalroad; Police Officer Tate West; Robert Turpen; Le Roy Turpen; Judy Kinder; Robert & Linda Durbin; Danny Curtis; and Fred Meisel.

Mayor Terry Weitman called the meeting to order at 7:00 p.m. Pledge of Allegiance was led by Council Member Esther Shields.

MAYOR'S COMMENTS:

- ❖ Reminded everyone of the upcoming Ribbon Cutting Ceremony for the new Dollar General Store on Tuesday, September 25th at 10:00 a.m.

CONSENT AGENDA:

✓ *Motion to Approve Consent Agenda*

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

Minutes (1st Draft) of September 05, 2012 Regular City Council Meeting;
Check Register: September 06 - 19, 2012;

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

DISCUSSION FROM THE FLOOR:

❖ None.

REPORTS OF CITY OFFICERS:

POLICE DEPARTMENT – CHIEF PAUL FILLA

Reported on the following:

1. Forty codes letters were sent out. Fourteen have been resolved; thirteen have responded with efforts to resolve; and, thirteen have not made any contact at this time.
2. The Explorers' 'Dunk-a-Cop' event at the Swan Fest raised \$413.25.
3. The 'Take-Back-Drugs' event is scheduled for Saturday, September 29th from 10 a.m. to 2 p.m. at City Hall.
4. 'Night Out Against Crime' is Saturday night, September 29th at the Park. The Children's Coalition has donated bike lights to be distributed during the event.
5. The city police officers have been focusing on school zones, especially during the mornings as there are no crossing guards.

PUBLIC WORKS DEPARTMENT – SUPERINTENDENT JIM JOHNSON

Reported on the following:

1. Some welding maintenance is scheduled for Thursday, September 20th on the south water tower.
2. Requested for one of the public works employees to attend the Annual Gas Pipeline Safety PHMSA Seminar in Salina, Kansas, October 30th through November 1st.
3. The Shoring Equipment is available for \$2,786.21 plus freight from USA BlueBook.
4. The Pipe Cutter tool most useful to the city to cut cast iron pipe would cost \$1,495.00.
5. The turbidity meter at the water plant malfunctioned and will have to be replaced. The equipment that works in conjunction with the turbidity meter is outdated and will not function with the new meters. The cost to replace all of the necessary equipment is \$6,608.20 and \$1,473.00 for the annual maintenance contract.

✓ *Motion To Purchase Turbidity Equipment with Annual Maintenance Contract*

Council Member Meisel moved to purchase the water plant turbidity equipment for \$6,608.20 and the annual maintenance contact for \$1,473.00. Motion seconded by Council Member Shields, voted on, passed 5-0. Time: 7:10 p.m.

✓ *Motion To Purchase Shoring Box Equipment*

Council Member Meisel moved to purchase the shoring box for a cost of \$2,786.21. Motion seconded by Council Member Shields, voted on, passed 5-0. Time: 7:11 p.m.

✓ *Motion To Purchase Pipe Cutter*

Council Member Meisel moved to purchase the pipe cutter for \$1,495.00. Motion seconded by Council Member Fleming, voted on, passed 5-0. Time: 7:12 p.m.

✓ *Motion for Public Works Employee to Attend Annual Gas Pipeline Safety Seminar*

Council Member Meisel moved for a public works employee to attend the Annual Gas Pipeline Safety Seminar in Salina with necessary expenses. Motion seconded by Council Member Robbins, voted on, passed 5-0. Time: 7:13 p.m.

Council Member Robbins asked public works to make sure the shoring equipment would meet their needs when it arrived or to look for something that would.

FIRE CHIEF DAN NASALROAD

Reported on the following:

1. Thanked the Swan Fest Committee and everyone involved in the Safety City on their efforts for a successful day.
2. The fire training structure is almost completed. Gave a special thanks to Danny Curtis and his wife during this construction.
3. Reminded everyone of the September 29th Night Out Against Crime and is in conjunction with the Ice Cream Social fundraiser for the Food Pantry.

CITY ATTORNEY JOHN SUTHERLAND

Reported on the following:

1. Should be receiving the deed to the Thayer property for the park later this week.

COUNCIL COMMITTEE REPORTS:

STREETS

❖ Council Member Sullivan:

1. Presented a list of old and faded street signs for discussion and asked public works to look into the cost of purchasing new reflective signs to replace them.
2. Discussed tree limbs hanging down and hindering the sight of some street signs at corners. Public works will address the specific corners in question now and continue with their on-going efforts in this area.

❖ Dan Nasalroad:

1. Discussed the street in Industrial Park where the new US Minerals business has trucks pulling out then are leaving pot ash and mud on the roads and the shoulders. This leaves the emergency vehicles kept in that area requiring more caution for road conditions, as well as

how it looks. The situation may be eliminated once the rail spur is completed. Codes will discuss the situation with the business.

CEMETERY

- ❖ Council Member Shields:
 1. Concerns for dirt around Bill Johnson's stone have been taken care of.

COMMUNITY BUILDING

- ❖ Council Member Shields:
 1. Lighting in the kitchen area: the light over the stove will not work, and the other lights are dim. These kinds of lights can no longer be purchased.
 2. The bathroom toilets take too long to fill between uses when there is heavy use. Do not know if it is the toilets or the water lines going to the toilets.
 3. Discussed additional concerns about the west wall, the electric and continual roof leaking.
 4. Discussed how to determine what would be needed to have a good community building. Committee will look at inspector for a detailed report to begin a plan. Discussed who has inspector information and possibly be able to look at grant funding once there is a plan.

SPECIAL COMMITTEES:

EMERGENCY MANAGEMENT

- ❖ Council Member Meisel:
 1. As part of the Safety City during the Swan Fest they signed up about 50 for IRIS. This will help them be notified during bad weather notices, etc; and, this has been the most signed up for an area in Linn County.
 2. La Cygne is the only city in the county that has an Emergency Management Committee and the city was commended for their commitment by County Emergency Management Director Doug Barlet.
 3. Announced there would be a Table Top training exercise in December for responses to tornados and train derailments.

UNFINISHED BUSINESS:

WIRELESS PHONE SERVICE FOR CITY EMPLOYEES

Discussed the two different carriers reviewed for service: Peoples Telecommunications and US Cellular. Reception and durability were the two primary factors to meet the needs of public works and the police department. US Cellular provided two test phones of the specific phones to be purchased for five days. Peoples Telecommunications provided one test phone of their choice for two days. Reception was best met by US Cellular. Both provided durable phones. A spreadsheet of costs for ten phones was presented. US Cellular provided a monthly government base rate less than Peoples; the purchase of ten phones was \$1,000 less with US Cellular; and, activation fees were waived with US Cellular. Both Public Works and the Police Department recommended US Cellular.

✓ *Motion To Switch Wireless Phone Service to US Cellular*

Council Member Robbins moved to switch wireless phone service to US Cellular and to allow up to \$800.00 for the purchase of phones and accessories. Motion seconded by Council Member Fleming, voted on, passed 5-0. Time: 7:44 p.m.

NEW BUSINESS:

DISCUSS CITY CODES FOR DOMESTIC DOGS

Mayor Weitman presented a request from an individual who requested to tag two more dogs they had acquired to add to the three they already have making a total of five dogs at the city residence. The individual felt the city codes were conflicting. Discussed the two parts of the city codes and how they addressed different topics for dogs and the city's intent from both parts was to allow no more than three dogs at one time at a residence without a kennel license and a kennel license was not permitted in a residential zoned area. These city ordinances were established in 1988 and have been followed as such since. The only option for anyone to harbor five dogs would be in a kennel approved zoning area. An interested residential zoned property owner could apply for rezoning consideration. Council concurred with current city process.

CONSIDER REPLACING LIGHT FIXTURES IN COMMUNITY BUILDING KITCHEN

Addressed previously in meeting.

REQUEST TO WAIVE COMMUNITY BUILDING FEE FOR GRADY'S KIDS FUNDRAISER, OCT. 20TH

✓ *Motion To Waive Community Building Fee for Grady's Kids Fundraiser*

Council Member Fleming moved to waive the community building fee for Grady's Kids Fundraiser on Saturday, October 20th. Motion seconded by Council Member Robbins, voted on, passed 5-0. Time: 7:55 p.m.

EXECUTIVE SESSION:

✓ *Motion To Go Into Executive Session*

Council Member Fleming moved to go into executive session for personnel and legal for up to sixty (60) minutes following a ten minute break. Motion seconded by Council Member Robbins, voted on, passed 5-0. Time: 7:56 p.m.

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

Executive Session Extended

✓ *Motion To Extend Executive Session*

Council Member Robbins moved to extend the executive session by twenty (20) minutes for personnel. Motion seconded by Council Member Fleming, voted on, passed 5-0. Time: 9:06 p.m.

Open Session Resumed at 9:26 p.m.

OTHER BUSINESS:

CHANGE STATUS OF DAVID A HUGGINS TO FULL TIME POLICE OFFICER

✓ *Motion To Change David A Huggins to Full Time Police Officer Effective Sept. 24, 2012 with Current Rate of Pay*

Council Member Robbins moved to change David A Huggins to full time police officer effective September 24th at the same rate of pay. Motion seconded by Council Member Fleming, voted on, passed 4-1 (Meisel – No). Time: 9:30 p.m.

CITY CLERK'S REPORT

Verbal:

1. Two city residents have inquired to the possibility of the city changing how the sewer rates are charged to an annual flat rate based on the residents' winter average sewer rates. Discussed how the sewer rates are currently established based on monthly water usage so anyone watering yards/gardens experiences higher sewer rates too; and, the sewer loan requirements on based on the estimated average usage. It would be possible to change how the rate is set but would probably reflect an apparent higher average rate to continue to meet the estimated total annual costs for the loan/bond requirements. The sewer committee will review.
2. Have not heard back this week from Shaffer Kline and Warren engineering firm on the status of the Interconnect with RWD #3 plans. The City Clerk will contact the firm and confirm they will have something for the next city council meeting.

Written: None

NOTES AND COMMUNICATIONS TO COUNCIL:

a] None

ADJOURNMENT:

✓ *Motion to Adjourn Meeting*

There being no further business, **Council Member Fleming moved to adjourn the meeting. Motion seconded by Council Member Meisel, voted on, Passed 5-0.** The Regular meeting was adjourned at 9:36 p.m.

I, _____
(Devona Herrin)

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

October 3, 2012

REGULAR MEETING:

The La Cygne City Council met on Wednesday, October 3, 2012 at La Cygne City Hall. Council Members present were: Jake Fleming; Linda Meisel; Travis Robbins; Esther Shields; and Robert Sullivan.

Others in attendance included, but not limited to: City Clerk Devona Herrin; City Attorney John Sutherland; Police Chief Paul Filla; Public Works Superintendent Jim Johnson; Fire Chief Dan Nasalroad; Police Officer Tate West; Robert Turpen; Le Roy Turpen; Judy Kinder; Rex Heape; Marvin Clements; Jerome Mitzner; Scott Stainbrook; and Fred Meisel.

Mayor Terry Weitman called the meeting to order at 7:00 p.m. Pledge of Allegiance was led by Council Member Travis Robbins.

MAYOR'S COMMENTS:

- ❖ None.

CONSENT AGENDA:

- ✓ **Motion to Approve Consent Agenda**

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

Minutes (1st Draft) of September 19, 2012 Regular City Council Meeting;
Check Register: September 20, - October 3, 2012;

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

DISCUSSION FROM THE FLOOR:

- ❖ Update on Thayer Memorial Park by Marvin Clements for the La Cygne Chamber of Commerce.
 - i. Now have all the lots deed filed as one deed.
 - ii. Making arrangements to install the Christmas tree next week.
 - iii. Working on developing a good footprint of the total long range project.

REPORTS OF CITY OFFICERS:

POLICE DEPARTMENT – CHIEF PAUL FILLA

Reported on the following:

6. Currently have ten cases; 4 arrests; and, one accident on Market Street with arrest.
7. Forty-five codes letters; five new were sent out. Twenty-three have been resolved; nine have responded with efforts to resolve; and, thirteen have not made any contact at this time.
8. One Pit Bull dog has been removed from the city; this makes a total of three in the last couple of months.
9. The 'Take-Back-Drugs' event Saturday, September 29th collected only a small amount; the DEA states nationwide numbers are down this year.

10. 'Night Out Against Crime' was last Saturday night, September 29th at the Park. Approximately 150 attended; including the KHP, and the county sheriff. Thanks expressed to the Children's Coalition who donated bike lights; the Commission and Mayor/Council for assistance with funding; and a list of many others who helped and donated for the event.
11. Have had an inquiry about a Haunted House at 1st & Market Street.

PUBLIC WORKS DEPARTMENT – SUPERINTENDENT JIM JOHNSON

Reported on the following:

6. Continuing to look for better pricing for the street signs to be replaced.
7. Repaired the water leak by the future Thayer Memorial Park lot and installed the Chamber's water meter and hydrant for the park. The sidewalk was removed to get to the water leak and public works plans to have a new pad poured for the sidewalk in the next week.
8. The Pipe Cutter tool has arrived and the Shoring Equipment is ordered.

FIRE CHIEF DAN NASALROAD

Reported on the following:

4. Fire Prevention Week. Have presented Fire Safety materials to the school students. Special thanks to the teachers and Mr. Hargus for helping with the students; and a special thanks to the firefighters for their time (Jerome Mitzner, Toby Stillions, Jason Mathews, Rod Benson, Jeff Day, and Danny Curtis). Also, thanks for those who donated towards the materials: Linn County Fire Station 950, La Cygne City Fire Department, and many businesses donated to the "Partners in Safety" materials.

COUNCIL COMMITTEE REPORTS:

PARK

- ❖ The North Park basketball light has been replaced.

PUBLIC SAFETY

- ❖ With the efforts of Officer Huggins and the school, there is now a morning school crossing guard on Market Street.

COMMUNITY BUILDING

- ❖ Council Member Shields:
 5. An inspection report was completed.
 6. Discussed removing the tree on the south side leaning against the building and clogging the drain. Esther has a \$200 bid to remove the tree and brush after the trash is removed first. Asked public works to remove the trash.

✓ *Motion To Authorize Carl Marsh to Remove and Haul Off Tree and Brush for \$200*

Council Member Shields moved to approve paying Carl Marsh \$200 to remove and haul off the tree and brush on south side of Community Building. Motion seconded by Council Member Fleming, voted on, passed 5-0. Time: 7:22 p.m.

EMPLOYEE RELATIONS & TRAINING

- ❖ Council Member Robbins brought up the Training Seminar for Jim Johnson in Lenexa on Nov.26th.

✓ *Motion for Jim Johnson to attend Training Seminar, Nov. 26th in Lenexa, KS*

Council Member Robbins moved to approve Jim Johnson to attend Fred Pryor Seminar on November 26th in Lenexa, KS. Motion seconded by Council Member Meisel, voted on, passed 5-0. Time: 7:23 p.m.

UNFINISHED BUSINESS:

RURAL WATER INTERCONNECT REPORT FROM REX HEAPE WITH SHAFER, KLINE, & WARREN

Rex Heape with Shafer, Kline, and Warren, presented an update on the plans for the water interconnect with RWD #3. Reported on:

1. With current contracts RWD #13 didn't see a problem as long as RWD #3 stayed within their maximum and minimum contract requirements with RWD #13.
2. May want to consider modifying RWD #13, RWD #3, and the city's Water Conservation Plans to best determine what phase each would go into when in an emergency basis and needing to pull from RWD #3 interconnect.
3. In mapping out reverse water flow appears 100 gallons a minute would be enough to meet water supply with conservation plan in effect.
4. The switch would be relatively simple by manually switching off the master meter and then manually opening the pressure reducer valve and meter.
5. Rex will contact RWD #3 to set up a meeting at their next regular meeting to discuss plans; and, let the city know when the date and time is set.

SPECIAL COMMITTEES:

SWAN FEST COMMITTEE

- ❖ Mayor Weitman recommended the appointment of Rick James as the 2013 Swan Fest Committee Chairman, Bob Sullivan as Council Representative, and Lindsey Jaccard as Chamber Representative. Also asked for all to be more mindful of keeping informed of group's activities next year.

✓ *Motion To Approve Appointments*

Council Member Robbins moved to approve the mayor's appointments to include Rick James as 2013 Swan Fest Committee Chairman. Motion seconded by Council Member Fleming, voted on, passed 5-0. Time: 7:41 p.m.

NEW BUSINESS:

WAIVE COMMUNITY BUILDING FEE FOR CHRISTMAS SHARING FUNDRAISER

A request was received from Beth Smith to waive the Community Building fee for the fundraiser on November 10, 2012. The City Fire Department also participates with this annual fundraiser.

✓ *Motion to Waive Community Building Fee for Christmas Sharing Fundraiser*

Council Member Fleming moved to waive the Community Building fee for the Christmas Sharing Fundraiser on November 10, 2012. Motion seconded by Council Member Shields, voted on, passed 5-0. Time: 7:42 p.m.

REPRESENTATIVE APPOINTMENT CHANGE FOR MARIAS DES CYGNE WATER ASSURANCE BOARD

Council Member Shields requested the representative to the Marias Des Cygne Water Assurance Board be changed from her to City Clerk Herrin.

✓ *Motion To Appoint Devona Herrin as Representative to the Marias Des Cygne Water Assurance Board*

Council Member Robbins moved to change the MDCWAB appointment from Council Member Shields to Devona Herrin. Motion seconded by Council Member Meisel, voted on, passed 5-0. Time: 7:44 p.m.

ORDINANCE NO. 1410 TO AMEND LA CYGNE COMMUNITY PARK CAMPING REGULATIONS AND PERMIT FEES

Request submitted from the Park Board.

✓ *Motion To Approve Ordinance No. 1410 to amend La Cygne Community Park camping regulations and permit fees*

Council Member Meisel moved to approve Ordinance No. 1410 to amend the La Cygne Community Park camping regulations and permit fees. Motion seconded by Council Member Sullivan, voted on, passed 5-0. Time: 7:45 p.m.

ORDINANCE NO. 1411 TO AMEND RURAL WATER DISTRICTS WATER UTILITY RATES

Council Member Meisel asked if the ordinance could be changed to include all of the future rates as determined by the previously signed agreement.

✓ *Motion To Approve Ordinance No. 1411 to amend the Rural Water Districts Water Utility Rates to include the rates determined in signed agreement*

Council Member Meisel moved to approve Ordinance No. 1411 amending the Rural Water Districts Water Utility Rates to include \$3.00 per 1,000 gallons from the date of the

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agreement through April 30, 2018; \$3.60 per 1,000 gallons from May 1, 2018, through April 30, 2024; and, \$4.20 per 1,000 gallons from May 1, 2024, through the ending date of this Agreement. Motion seconded by Council Member Shields, voted on, passed 5-0.

Time: 7:47 p.m.

KMEA/KMGA ANNUAL MEETING OF MEMBER CITIES

KMEA/KMGA Annual Meeting of Member Cities is scheduled on Friday, November 9, 2012, in Wichita, KS.

- ✓ *Motion To Authorize One of City's Representative's (Jerome or Devona) to attend the Annual KMEA/KMGA Board Meeting*

Council Member Meisel moved to authorize one of the City's representatives', Jerome Moore or Devona Herrin, to attend the Annual KMGA board meeting on Friday, November 9, 2012 in Wichita, KS. Motion seconded by Council Member Fleming, voted on, passed 5-0.

Time: 7:49 p.m.

APPOINT DELEGATE TO VOTE AT ANNUAL KMIT MEETING

KMIT's Annual Meeting is during the annual League Conference. There will be a vote on the KMIT Bylaws Amendment during the KMIT Annual Meeting, Sunday, October 7, at 5PM, in Topeka, KS.

- ✓ *Motion To Designate Council Member Sullivan as City Delegate to vote on the KMIT Bylaws Amendment during the KMIT Annual Meeting*

Council Member Meisel moved to designate Council Member Sullivan as city delegate to vote on KMIT Bylaws Amendment during annual KMIT meeting. Motion seconded by Council Member Fleming, voted on, passed 5-0. Time: 7:50 p.m.

LETTERS OF SUPPORT FOR TRI-KO, INC.

TRI-KO, Inc. submitted letter of support requests for their grant request regarding Section 5310 – State Operating Assistance and a grant request regarding Section 5317 – Level Operating Assistance.

- ✓ *Motion to Approve Mayor Signing Both Letters of Support for TRI-KO, Inc.*

Council Member Shields moved to approve the mayor to sign both letters of support for TRI-KO, Inc. Motion seconded by Council Member Fleming, voted on, passed 5-0. Time: 7:52 p.m.

REQUEST FROM COUNTY COMMISSIONERS FOR A CITY REPRESENTATIVE TO ATTEND NEXT COMMISSION MEETING IN REGARDS TO NEW TRAINING STRUCTURE LOCATED BY LOCAL FIRE STATION

Discussed a request received from Linn County Commissioners for a City Representative to attend the next Commissioners' meeting to discuss the new training structure located by local fire station. Mayor Weitman and City Fire Chief Nasalroad will plan to attend next Tuesday's Commission meeting. City Clerk will call County Clerk to confirm date and time.

EXECUTIVE SESSION:

✓ *Motion To Go Into Executive Session*

Council Member Fleming moved to go into executive session for personnel and legal for up to forty (40) minutes following a ten minute break. Motion seconded by Council Member Robbins, voted on, passed 5-0. Time: 7:53 p.m.

In addition to the Mayor, Council Members, and City Attorney, others requesting time or invited into portions of the executive sessions included (but not limited to): Police Chief Paul Filla, Fire Chief Dan Nasalroad, and City Clerk Herrin.

Open Session Resumed at 8:32 p.m.

OTHER BUSINESS:

SALARY ADJUSTMENT FOR FULL TIME POLICE OFFICER DAVID A HUGGINS TO \$12.00 PER HOUR

✓ *Motion To Change David A Huggins Rate of Pay to \$12.00 per hour Effective Sept. 24, 2012 when he became a Full Time Officer*

Council Member Robbins moved to change David A Huggins rate of pay to \$12.00 per hour effective September 24th at the same time he became a full time officer. Motion seconded by Council Member Fleming, voted on, passed 5-0. Time: 8:33 p.m.

CHRISTMAS HOLIDAY DINNER FOR CITY EMPLOYEES AND VOLUNTEERS

Council Member Meisel brought up the discussion of a Christmas Holiday Dinner this year for the city employees and volunteers instead of giving the canned hams. General consensus was most enjoyed the dinner. Council Member Meisel will work with employees on prices and a date. More info later.

NOTES AND COMMUNICATIONS TO COUNCIL:

- a] MDC River Water Assurance District Conservation Plan Status
- b] KMEA Power Factor newsletter, Fall 2012

ADJOURNMENT:

✓ *Motion to Adjourn Meeting*

There being no further business, **Council Member Fleming moved to adjourn the meeting. Motion seconded by Council Member Shields, voted on, Passed 5-0.** The Regular meeting was adjourned at 8:38 p.m.

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I, _____ La Cygne City Clerk, do hereby declare the
(Devona Herrin) above to be true and correct, to the best of my
knowledge, and do hereby subscribe my name
this 3rd day of October 2012.

October 17, 2012

REGULAR MEETING:

The La Cygne City Council met on Wednesday, October 17, 2012 at La Cygne City Hall. Council Members present were: Jake Fleming; Linda Meisel; Esther Shields; and Robert Sullivan. Absent: Travis Robbins.

Others in attendance included, but not limited to: City Treasurer Linda Elder; City Attorney John Sutherland; Police Chief Paul Filla; Public Works Superintendent Jim Johnson; Fire Chief Dan Nasalroad; Police Officer Tate West; Danny Curtis; Judy Kinder; Fred Meisel; and, LeRoy Turpen.

Mayor Terry Weitman called the meeting to order at 7:00 p.m. Pledge of Allegiance was led by Mayor Weitman.

MAYOR'S COMMENTS:

*None

CONSENT AGENDA:

✓ **Motion to Approve Consent Agenda**

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

Minutes (1st Draft) of October 3, 2012 Regular City Council Meeting;

Check Register: October 4, - October 12, 2012;

Check Register: October 13 - October 17, 2012

Motion seconded by Council Member Meisel, voted on, passed 4-0. Time 7:03 p.m.

DISCUSSION FROM THE FLOOR:

*None

REPORTS OF CITY OFFICERS:

POLICE DEPARTMENT - CHIEF PAUL FILLA

Reported on the following:

- Is alive and well! Had been in Olathe Hospital, had a complete check up, diagnosis was bronchitis.
- 92 codes letters sent out, 52 have been corrected, 21 working on correcting, have not heard from 19.

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- Citizens are grateful for police hitting the school zone hard. Are also concentrating on 4th street.
- The Children’s Coalition has applied for a \$25,000.00 grant for a study for a walk & bike track. Will go to 1 of 3 cities, La Cygne, Pleasanton, or Mound City. Will be presented to the state, who is impressed with the impact the Children’s Coalition has had on underage drinking.
- Radios are not working properly, will receive but not transmit. When purchased we got the lower end. Right now basically are without radios. Asking for 3 radios around \$300.00 each plus \$80.00 for programming.

✓ **Motion to Purchase Radios for Police Department**

Council Member Fleming moved to allow Paul to buy 3 radios up to \$1200.00. Motion seconded by Council Member Meisel, voted on, passed 4-0. Time 7:10 p.m.

PUBLIC WORKS DEPARTMENT – SUPERINTENDENT JIM JOHNSON

Reported on the following:

1. Is still waiting for county to go on ride along to check streets.
2. Looked at road on South 7th Street, no quick patch, needs milling. \$3,000.00 - \$4,000.00 for patch material for a band aid fix. Is still waiting for John Black and John Byington from the County to get with him.
3. The wiring is burnt up on the cemetery lawn mower; it is at Blue Valley for repair, cost of \$468.00.
4. Has ordered 18 signs at a cost of \$503.10.

FIRE CHIEF DAN NASALROAD

Reported on the following:

1. Reported on a Superior Smoke Machine. This machine makes smoke for training purpose. Cost of machine is \$921.00 plus \$54.95 per gallon of smoke. Council member Meisel inquired as to the cost of shipping. Dan offered to pick up.

✓ **Motion to Purchase Smoke Machine**

Council Member Meisel moved to allow the Fire Department to purchase a Smoke Machine up to \$1100.00 including shipping. Motion seconded by Council Member Shields, voted on, passed 3-0; 1 abstention by Council Member Fleming. Time 7:15p.m.

- Fireman will be cooking hot dogs to hand out to trick or treaters on Halloween. The Fire Explorers’ will be serving chili for a free will donation. All starting at 6 pm.

COUNCIL COMMITTEE REPORTS:

PARK

- Council Member Sullivan reported the Park Board will be having a discussion on the skate board park at their next meeting to be held Oct. 25th at 7 p.m. All are encouraged to attend.

CEMETERY

- Mayor Weitman reported he had been approached by Mrs. Sylva on 1st Street about people cutting through their property to get to get to cemetery. The Mayor asked Police Chief Filla to monitor the problem.
- Council member Sullivan ask about people fishing at the lagoon behind the water plant, Jim Johnson reported he has run people off, there are no trespassing signs up.
- Council member Shields reported Bill Johnson was pleased with the dirt work done to his grave site.

UNFINISHED BUSINESS:

- Council Member Meisel presented bids for catering the Christmas Holiday Party. Will be held December 8th in Community Building at 7 p.m.

✓ ***Motion to except Heavenly Pigs bid for Holiday Party***

Council Member Shields moved to except Heavenly Pigs bid for Holiday Party. Motion seconded by Council Member Sullivan, voted on, passed 4-0. Time 7:25 p.m.

- Council Member Meisel presented a proposed change to overtime pay policy. This was tabled to the next meeting.
- Council Member Shields will attend the Town Hall meeting in Paola to assess the healthcare needs.

NEW BUSINESS:

WATER UTILITY COMPONENTS KRWSA TRAINING SESSION

Consider "Water Utility Components" KRWSA Training Session, Thursday, October 25, 2012, at Ottawa, Kansas for Lisa Elmore's water certification credits.

✓ ***Motion send Lisa Elmore to KRWSA Training Session in Ottawa***

Council Member Shields moved to send Lisa Elmore to KRWSA Training in Ottawa on Oct. 25th. Motion seconded by Council Member Meisel, voted on, passed 4-0. Time: 7:20 p.m.

1. Council Member Shields reported the 1st Annual Mayor's Christmas Tree Lighting will be Dec. 2nd at 6pm. Esther has contacted the area churches and has organized a choir. Hot food and drinks will be served. Everyone to bring lawn chair. Decorations have been arranged. Good Samaritan program will furnish the food.

EXECUTIVE SESSION:

✓ ***Motion to go into Executive Session***

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Council Member Fleming moved to go into executive session for legal for up to 20 minutes. Motion seconded by Council Member Meisel, voted on, passed 4-0. Time: 7:32 p.m.

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

Open Session Resumed at 7:49 p.m.

OTHER BUSINESS:

Jim Johnson ask if insurance money from State Farm could be added to money from equipment reserve to purchase pick up. Tabled until Clerk Herrin is back.

NOTES AND COMMUNICATIONS TO COUNCIL:

a] Shafer, Kline, & Warren, Inc. Email on Plans and Specifications for Water Interconnect.

ADJOURNMENT:

✓ ***Motion to Adjourn Meeting***

There being no further business, **Council Member Fleming moved to adjourn the meeting. Motion seconded by Council Member Meisel, voted on, Passed 4-0.** The Regular meeting was adjourned at 7:52 p.m.

I, _____ La Cygne City Treasurer, do hereby declare the
(Linda Elder) above to be true and correct, to the best of my knowledge, and do hereby subscribe my name this 17th day of October 2012.

November 7, 2012

REGULAR MEETING:

The La Cygne City Council met on Wednesday, November 7, 2012 at La Cygne City Hall. Council Members present were: Jake Fleming; Linda Meisel; Travis Robbins; Esther Shields; and Robert Sullivan.

Others in attendance included, but not limited to: City Clerk Devona Herrin; City Attorney John Sutherland; Police Chief Paul Filla; Public Works Superintendent Jim Johnson; Fire Chief Dan Nasalroad; Police Officer Tate West; Robert Turpen; Le Roy Turpen; Judy Kinder; Jodi & Harley Wade; Brad Barrett; Barbara Duncan; Mr. & Mrs. Ted Lister; and Fred Meisel.

Mayor Terry Weitman called the meeting to order at 7:00 p.m. Pledge of Allegiance was led by Police Officer Tate West.

MAYOR'S COMMENTS:

- ❖ Encouraged anyone available to attend the many fund raising activities occurring this month.

CONSENT AGENDA:

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

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

Minutes of October 17, 2012 Regular City Council Meeting;

Check Register: October 18 – November 7, 2012;

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

DISCUSSION FROM THE FLOOR:

- ❖ Barbara Duncan, on behalf of the Methodist Church and the Food Pantry, asked the council to consider 4-way stop signs at 4th & Chestnut. When the Food Pantry is open there is considerable traffic congestion creating concerns for those traveling at the usual speeds on 4th Street. Steps are being taken to attempt to change the flow of traffic to the Food Pantry when it is open. Mayor Weitman expressed appreciation for the benefit to the community the Food Pantry provides; and, asked the Public Safety Committee to review the request for the stop signs and report back to the council.
- ❖ Barbara Duncan inquiry about closing alley and moving utilities in west portion of Block 56, La Cygne, was tabled by Ms. Duncan.
- ❖ In Melody Berry's absence, City Clerk Herrin passed on Melody's wishes to express her big thanks to the city's police department and the city for allowing the participation for the Children's Coalition with addressing underage drinking in the forefront of their efforts. With these efforts the area has improved greatly towards meeting goals to help.
- ❖ Jodi Wade, Park Board Representative, asked the council if Public Works could provide the installation of sewer hook-up at the camp sites on the south end of the park with the Park providing the cost of materials. There is no hurry and can be done as Public Works has time.

✓ ***Motion To Approve Public Works to Help with Park Installation of Sewer Hook-Up at Camp Sites***

Council Member Robbins moved to approve public works to help with the installation of sewer hook-up at the park camp sites as time allowed. Motion seconded by Council Member Sullivan, voted on, passed 5-0. Time: 7:12 p.m.

REPORTS OF CITY OFFICERS:

POLICE DEPARTMENT – CHIEF PAUL FILLA

Reported on the following:

12. Narrow-banding on the radio repeater will be done on November 15th completing the January 2013 requirements.
13. Most of the codes violations have been resolved; and one Pit Bull dog removed from the city.

PUBLIC WORKS DEPARTMENT – SUPERINTENDENT JIM JOHNSON

Reported on the following:

9. The bridge on Hedge Lane is now open.

10. The street signs to be replaced are done.
11. The north water tower will be shut down on November 15th for cleaning and the south water tower is being scheduled for repairs.
12. The South-East Lift Station lost the transformer and has been replaced.
13. Asked about Angela Sloan continuing to mark graves since she is no longer mowing. Angela has agreed to mark the graves until she finds other work; and, public works can mark the graves too. Mayor noted it was Jim's call.
14. The water main break in Market Street by Mr. Fleming's house has been repaired, but required equipment on Mr. Fleming's property and then in repairing the damaged property required some rock to be hauled to the location.
15. Water leak in the area of the Thayer Memorial Park may not be totally repaired yet. Have been monitoring the site for evidence of further leakage. Discussed time versus weather in replacing the sidewalk for smooth area to walk.
16. Still waiting on the county road crew to review the city streets. Discussed adding some mix to the big swag areas just to get through the winter months.
17. Bob Sullivan asked about another windsock for the water plant. One will be ordered.
18. Esther Shields asked who would be responsible for the brush behind the LaCygne Guest Suites building, or was it part of the City Park. Mayor Weitman noted the city is listed as the property owner but understood the park was the Chamber's. Police Chief Filla said codes would address the brush concern.

FIRE CHIEF DAN NASALROAD

Reported on the following:

5. Reminded everyone to change the batteries in their smoke alarms in conjunction with the time change.
6. Nov 10th is the Ham & Beans / Soup fundraiser by the Fire Department for the Christmas Giving Tree fund.
7. On Halloween served about 340 hot dogs and chili by 8 p.m.

COUNCIL COMMITTEE REPORTS:

WATER & GAS

- ❖ Mayor Weitman expressed appreciation to Miami County for adding the gas line to their bridge repair bid on Hedge Lane.

COMMUNITY BUILDING

- ❖ Council Member Shields:
 7. Gave a copy of the inspection report to Bob Calvert to see if he was interested in any parts of the listed repairs. Discussed committee prioritizing what needs to be done from the inspection and in what order prior to moving forward.

UNFINISHED BUSINESS:

PERSONNEL POLICIES CHANGE TO OVERTIME PAY

- ✓ *Motion for 15 Minutes Executive Session for Personnel*

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Council Member Robbins moved to go into Executive Session for up to fifteen minutes for Personnel. Motion seconded by Council Member Fleming, voted on, passed 5-0. Time: 7:26 p.m.

Open Session Resumed at 7:42 p.m.

Mayor Weitman asked for any action. No comments. Moved on to New Business.

NEW BUSINESS:

WAIVE COMMUNITY BUILDING FEE FOR HISTORICAL SOCIETY BENEFIT, NOVEMBER 11TH

A request was received from the Historical Society to waive the Community Building fee for the fundraiser on November 11, 2012.

✓ *Motion to Waive Community Building Fee for Historical Society Benefit, November 11th*

Council Member Shields moved to waive the Community Building fee for the Historical Society Benefit on November 11, 2012. Motion seconded by Council Member Fleming, voted on, passed 5-0. Time: 7:43 p.m.

PART-TIME COMPACTOR EMPLOYEE

Mayor Weitman let the council know Edwin Dennis, the part-time compactor employee, was no longer available to work for the city. Former part-time compactor employee, Eldred Whitley, has recovered from his illness and is available to work at the compactor when needed.

✓ *Motion To Hire Eldred Whitley as Part-time Compactor Employee at \$8.00 per hour*

Council Member Robbins moved to hire Eldred Whitley as part-time compactor employee at \$8.00 per hour. Motion seconded by Council Member Fleming, voted on, passed 5-0. Time: 7:45 p.m.

RESIGNATION OF POLICE CHIEF FILLA

Mayor Weitman presented Police Chief Filla's resignation notice with Paul's last working day on Friday, November 9th and with accrued time to November 21st. Police Chief Filla expressed his enjoyment serving the city. Mayor Weitman acknowledged the city looked forward to working with Paul Filla in his future capacity as County Sheriff.

APPOINT TATE WEST AS POLICE CHIEF

Mayor Weitman recommended the appointment of Tate West to the position of Police Chief effective November 10th with approval of the council.

✓ *Motion To Approve Tate West as La Cygne Police Chief effective November 10th*

Council Member Robbins moved to approve Tate West as La Cygne Police Chief effective November 10th. Motion seconded by Council Member Fleming, voted on, passed 5-0. Time: 7:48 p.m.

Police Chief West accepted Oath of Office from City Clerk Herrin.

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APPOINT TATE WEST AS CODES OFFICER

✓ *Motion To Appoint Tate West as Codes Officer*

Council Member Meisel moved to appoint Tate West as Codes Officer. Motion seconded by Council Member Shields, voted on, passed 5-0. Time: 7:49 p.m.

EXECUTIVE SESSION:

✓ *Motion To Go Into Executive Session*

Council Member Fleming moved to go into executive session for personnel and legal for up to twenty-five (25) minutes following a ten minute break. Motion seconded by Council Member Robbins, voted on, passed 5-0. Time: 7:50 p.m.

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

Open Session Resumed at 8:18 p.m.

OTHER BUSINESS:

UNFINISHED BUSINESS: PERSONNEL POLICIES CHANGE TO OVERTIME PAY

Mayor Weitman noted the Unfinished Business earlier was actually tabled for the time being.

SALARY ADJUSTMENT FOR POLICE CHIEF TATE WEST TO \$13.50 PER HOUR EFFECTIVE NOV. 19TH

✓ *Motion To Change Tate West's Rate of Pay to \$13.50 per hour Effective First Day of Next New Payroll Period*

Council Member Meisel moved to increase Tate West's rate of pay to \$13.50 per hour effective with the first day of the next new payroll period. Motion seconded by Council Member Robbins, voted on, passed 5-0. Time: 8:23 p.m.

CHANGE NOVEMBER 21ST COUNCIL MEETING TO TUESDAY, NOVEMBER 20TH AT 7:00 P.M.

City Clerk Herrin asked about changing the next Council Meeting scheduled for the Wednesday night before Thanksgiving to the night before, Tuesday, November 20th at regular time. Discussed.

✓ *Motion To Change November 21st Regular Council Meeting to Tuesday, November 20th*

Council Member Meisel moved to change the next regular City Council Meeting to Tuesday, November 20th at 7:00 pm. Motion seconded by Council Member Robbins, voted on, passed 5-0. Time: 8:23 p.m.

NOTES AND COMMUNICATIONS TO COUNCIL:

- a] Lisa Elmore completed KRWA training for Water Certification Hours
- b] "Governor Brownback, Lawmakers Announce Property Tax Reform" Oct. 26, 2012
- c] LKM, "Property Tax Lid Briefing Sheet"

ADJOURNMENT:

✓ *Motion to Adjourn Meeting*

There being no further business, **Council Member Fleming moved to adjourn the meeting. Motion seconded by Council Member Meisel, voted on, Passed 5-0.** The Regular meeting was adjourned at 8:26 p.m.

I, _____ La Cygne City Clerk, do hereby declare the
(Devona Herrin) above to be true and correct, to the best of my knowledge, and do hereby subscribe my name this 7th day of November 2012.

November 20, 2012

REGULAR MEETING:

The La Cygne City Council met on Tuesday, November 20, 2012 at La Cygne City Hall instead of Wednesday, November 21, 2012, for the Thanksgiving Holiday. Council Members present were: Jake Fleming; Linda Meisel; Travis Robbins; and Esther Shields. Absent: Robert Sullivan.

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

Mayor Terry Weitman called the meeting to order at 7:00 p.m. Pledge of Allegiance was led by Council Member Linda Meisel.

MAYOR'S COMMENTS:

- ❖ Announced the Linn County Children's Coalition Annual Appreciation Christmas Dinner on Thursday, December 13th at noon in the Linn County Annex Building. Anyone able to attend, please RSVP to Tisha Coleman.
- ❖ Enjoy Thursday's Thanksgiving.

CONSENT AGENDA:

✓ *Motion to Approve Consent Agenda*

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

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Minutes of November 7, 2012 Regular City Council Meeting;
Check Register: November 8 - 20, 2012;
October 2012 Budget Report; and,
October 2012 Treasurer's Report.

Motion seconded by Council Member Shields, voted on, passed 4-0. Time: 7:03 p.m.

DISCUSSION FROM THE FLOOR:

- ❖ Esther Shields provided some details for the Christmas Tree Lighting at Thayer Memorial Park on Sunday, December 2nd at 5 p.m. If the weather is bad it will be held in the Community Building. The Iota Tau will furnish and hang the lights for the tree. There is going to be singing, and, food until it runs out. Hope everyone can come.

REPORTS OF CITY OFFICERS:

POLICE DEPARTMENT – CHIEF TATE WEST

Reported on the following:

14. Requested consideration of the Police Department switching the Chevy Trail Blazer with the Fire Department for the Ford Crown Vic as it is more suited to the police for prisoner needs and the Trail Blazer is more suited for the Fire Department. Both departments were in agreement.

✓ *Motion To Approve Police and Fire Department Vehicle Switch*

Council Member Robbins moved, with departments' joint agreement, for the swap of vehicles between the Police and Fire Departments. Motion seconded by Council Member Fleming, voted on, passed 4-0. Time: 7:07 p.m.

15. Presented for approval Entering School Zone Signs to be posted on side streets entering the area as an additional reminder for hours when lights will be flashing. Discussed also placing them under the flashing lights themselves as another reminder. Cost would be \$29.80 each.

✓ *Motion To Purchase Entering School Zone Signs for a Cost of Up To \$300.00*

Council Member Meisel moved to purchase however many signs needed for up to \$300.00 and to have possible extra on hand if needed. Motion seconded by Council Member Fleming, voted on, passed 4-0. Time: 7:09 p.m.

16. Twenty traffic citations in the last two weeks.
17. Currently have sixteen Codes Violations open with five having been resolved and 3 Citations issued. The owner of the shed near Swan & 7th has been contacted and will be torn down by December 1, 2012 and removed by January 1, 2013.
18. TAC, 'Terminal Agency Coordinator', class on December 6, 2012 in Wichita. Police Chief West asked to attend this class to become certified to run background checks and trained on how to receive information in a secure manor. This will help determine if the program would be useful for the department versus the responsibility that goes with the program. The cost to attend would be the commute, meals, and one night's hotel (less than \$100).

✓ *Motion To Approve Police Chief West to Attend Training Class on December 6th in Wichita*

Council Member Meisel moved for Police Chief West to attend the December 6th class in Wichita with per diem. Motion seconded by Council Member Fleming, voted on, passed 4-0.

Time: 7:12 p.m.

PUBLIC WORKS DEPARTMENT – SUPERINTENDENT JIM JOHNSON

Reported on the following:

19. KDHE Inspection Letters have already had most parts addressed. The sludge ponds are the biggest concern. One has been shut down with on-going expense trying to kill the cattails while they keep growing even after following state recommendations. Both Sludge Ponds now need a total work over. Discussed with council if may be cheaper to build new ones and the possibility of an engineer to help determine what would be best. Mayor Weitman will sit down with Jim Johnson and the Water Committee to try to determine a good way for long term results.
20. The north water tower was inspected and waiting on final report. Know they did find the top had some rusty spots to address and the seam around the bottom needed some attention.
21. The old black Dodge Truck is making some really bad noises now; the city needs to consider a used pickup in the near future.

FIRE CHIEF DAN NASALROAD

Reported on the following:

8. To continue the fire reports to the state the Firehouse Software requires an annual update at a cost of \$110.00 a year, which has been purchased.

COUNCIL COMMITTEE REPORTS:

STREET

- ❖ Discussed there has still been no response from the county as to when they would be getting with Jim. The roads are still settling and the water line breaks in the roads add to the problem. Mayor Weitman will try to contact to county.

SPECIAL COMMITTEE REPORTS:

EMERGENCY MANAGEMENT COMMITTEE

- ❖ Council Member Meisel reported there will be a Table Top meeting on Tuesday, December 4th, at 6:00 p.m. at the Fire Station. All are welcome to come be informed in case of emergency. This will involve the public works, police, fire and other emergency personnel.

UNFINISHED BUSINESS:

NONE

NEW BUSINESS:

2013 CEREAL MALT BEVERAGE LICENSES FOR CASEY'S AND SYD'S

1. Casey's Cereal Malt Beverage License Application.

✓ *Motion to Approve Casey's 2013 Cereal Malt Beverage License Application*

Council Member Meisel moved to approve Casey's 2013 Cereal Malt Beverage License application. Motion seconded by Council Member Shields, voted on, passed 4-0. Time: 7:25 p.m.

2. Syd's Cereal Malt Beverage License Application.

✓ *Motion to Approve Syd's 2013 Cereal Malt Beverage License Application*

Council Member Shields moved to approve Syd's 2013 Cereal Malt Beverage License application. Motion seconded by Council Member Robbins, voted on, passed 4-0. Time: 7:26 p.m.

BETH SMITH TO USE CITY HALL FOR STORING DONATIONS FOR THE CHRISTMAS SHARE PROJECT

This has been an annual use for City Hall.

✓ *Motion To Allow Beth Smith to use City Hall for storing donations for Christmas Share Project*

Council Member Fleming moved to allow Beth Smith to use the City Hall for storing donation for the Christmas Share Project. Motion seconded by Council Member Robbins, voted on, passed 4-0. Time: 7:27 p.m.

REQUEST FOR 4-WAY STOP SIGNS AT 4TH & CHESTNUT

The Public Safety Committee met and Council Member Fleming reported the recommendation for the traffic in that area was to place "No Parking" signs on the west side of 4th Street from the intersection of Swan south to the intersection of Chestnut. Council was in agreement and asked City Clerk to have an ordinance drawn up for the next meeting addressing no parking for this area.

KDHE "ASSET MANAGEMENT TRAINING", DECEMBER 18, 2012 AT PARSONS, KS

Mayor Weitman expressed need for some attendance to this KDHE training class. He will attend. Since there is time will place on the next agenda to determine who else is available to attend. The session addresses core issues regarding water and wastewater sustainability.

EXECUTIVE SESSION:

✓ *Motion To Go Into Executive Session*

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Council Member Fleming moved to go into executive session for personnel and legal for up to twenty-five (25) minutes following a ten minute break. Motion seconded by Council Member Meisel, voted on, passed 4-0. Time: 7:35 p.m.

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

EXTEND EXECUTIVE SESSION

✓ *Motion To Extend Executive Session for Ten (10) Minutes for Legal*

Council Member Fleming moved to extend Executive Session for up to ten (10) minutes for legal. Motion seconded by Council Member Meisel, voted on, passed 4-0. Time: 8:10 p.m.

Open Session Resumed at 8:20 p.m.

OTHER BUSINESS:

NONE

CITY CLERK'S REPORT:

- ✓ Reminder the City Offices will be closed on Thursday and Friday for Thanksgiving.
- ✓ Received a phone call from Rex Heape with Shafer, Kline & Warren informing the city they would be receiving 3 sets of plans and specs for the Interconnect Meter Project. The city can then decide if they want to contact a contractor to do the small project; or, if the city wants to hire the firm to help put it out to bids by drawing bid specifications, then handling the bid openings, recommendation, and construction inspection. For a small project that is often times not utilized. It is the choice of the city. Will have the specs and information at the next meeting for review by council.
- ✓ Both the City Police Chief and Police Officer have birthdays in the next week.

NOTES AND COMMUNICATIONS TO COUNCIL:

a] KDHE Response to Shafer, Kline, & Warren's Plans for the InterConnect with RWD #3

ADJOURNMENT:

✓ *Motion to Adjourn Meeting*

There being no further business, **Council Member Meisel moved to adjourn the meeting. Motion seconded by Council Member Robbins, voted on, Passed 4-0.** The Regular meeting was adjourned at 8:25 p.m.

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

December 5, 2012

REGULAR MEETING:

The La Cygne City Council met on Wednesday, December 5, 2012 at La Cygne City Hall. Council Members present were: Jake Fleming; Linda Meisel; Travis Robbins; Robert Sullivan; and Esther Shields.

Others in attendance included, but not limited to: City Clerk Devona Herrin; City Attorney John Sutherland; Police Chief Tate West; Public Works Superintendent Jim Johnson; Fire Chief Dan Nasalroad; Judy Kinder; Robert Turpen; LeRoy Turpen; Danny Curtis; Brad Barrett; and Fred Meisel.

Mayor Terry Weitman called the meeting to order at 7:00 p.m. Pledge of Allegiance was led by Public Works Superintendent Jim Johnson.

MAYOR'S COMMENTS:

- ❖ Asked Esther Shields for a report on the 1st Annual Mayor's Christmas Tree Lighting by the Good Samaritan Group. Esther reported it was a huge success and she appreciated everyone's help, with Linda Jo Hisel being her primary helper. They took in \$472 in donations with only \$159 in expenses.
- ❖ Received Thank You card from Grady's Kids.
- ❖ Received Holiday card from Judy Kinder.

CONSENT AGENDA:

✓ **Motion to Approve Consent Agenda**

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

Minutes of November 20, 2012 Regular City Council Meeting;

Check Register: November 21 – December 5, 2012;

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

DISCUSSION FROM THE FLOOR:

NONE.

REPORTS OF CITY OFFICERS:

POLICE DEPARTMENT – CHIEF TATE WEST

Reported on the following:

1. 46 Citations issued since last meeting
 - i. Three arrests for DUI

- a. One vehicle chase with an armed subject
- ii. One arrest for domestic battery
- 2. Repeater is now capable to set off storm siren and has battery back-up. It was tested today.
- 3. Signs for School zone are in and will be installed prior to next meeting.
- 4. Signs for No Parking zone are in and will be installed after the ordinance goes into affect.
- 5. Filed forfeiture documents on a car, motorcycle and gun.
- 6. Vehicle trade with Fire Department is complete. Shortly after the department made an arrest, where the subject pounded his head on the cage all the way to the jail.
- 7. 800 MHz radio installed in truck.
- 8. KS-CPOST documentation up to date.
- 9. Did not attend TAC training in Wichita due to meeting conflict. Will look at attending in March.
- 10. Allen Huggins, Tate West, and Wayne Benedick participated in training courses.
- 11. Renewed the Explorer Post
- 12. Filed Zero Report with State
- 13. Completed the STEP Program documentation
- 14. Completed Law Enforcement Notification System Access LENS
- 15. Three more codes violations resolved.
- 16. Performance appraisals started.
- 17. Added new Intern/Reserve Annette Bogan. She will be doing a 240 hour internship for her schooling. Will also start reserve training.
- 18. Reported six street lights for repair.
- 19. Linn County Children's Coalition Luncheon 13 Dec 2012 at 12:00 pm.
- 20. Currently have one dog in the Animal Shelter.

FIRE CHIEF DAN NASALROAD

Reported on the following:

- 9. The state Firehouse Software is working well and updates are complete.
- 10. The Storm Radios are now set up in the fire trucks, except one.
- 11. Firefighter Relief Seminar, January 12, 2013, Salina, Kansas, with Firefighters Jake Fleming and Dan Nasalroad attending.

✓ *Motion To Approve Two to Attend Firefighter Relief Seminar, January 12, 2012 at Salina*

Council Member Robbins moved for Jake Fleming and Dan Nasalroad to attend the Firefighter Relief Seminar on January 12, 2013 in Salina with per diem. Seconded by Council Member Meisel, voted on, passed 4-0 (1 Abstain: Fleming). Time: 7:09 p.m.

PUBLIC WORKS DEPARTMENT – SUPERINTENDENT JIM JOHNSON

Reported on the following:

- 22. Thanked the council for training class through the Carrier Track Seminar.
- 23. Signs are here and ready and to be installed.
- 24. Council Member Sullivan asked about the status on the repairs for the sidewalk on Broadway. Public Works is trying to coordinate with the cement company for a small load when time and weather permits for both.

COUNCIL COMMITTEE REPORTS:

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WATER

- ❖ Water Plant Lagoons to be Cleaned/Repaired: Mayor Weitman reported he looked at the lagoons and the city has options on what has to be done. They do need to be looked at later and determine action to be taken.

STREET

- ❖ Mayor Weitman contacted John Byington, Foreman of Linn County Asphalt Division and John has agreed to meet with the city's mayor and public works this week to inspect the roads and review the problems. Then the city will have to take the problems and get the issues prioritized as to what can be done and how to make a major long range major street project work for the city.

COMMUNITY BUILDING

- ❖ Council Member Shields noted after working for a day in the community building, there are several problems and will have to get issues prioritized.

SPECIAL COMMITTEE REPORTS:

EMERGENCY MANAGEMENT COMMITTEE

- ❖ 'Table Top' Meeting, December 4th, Report - Council Member Meisel thanked those who attended the 'Table Top' meeting on Tuesday, December 4th, at 6:00 p.m. at the Fire Station. Concerns to help be prepared immediately after a disaster were discussed, and now concerns to consider. Helps to have individuals identified for concerns to be prepared.
- ❖ Portable Containment Equipment – Several choices to choose from and not taking any action at this time. Will possibly purchase some disposable bath towels and coveralls before the end of the year.

UNFINISHED BUSINESS:

ORDINANCE NO. 1412 FOR 'NO PARKING' ON PORTION ON NORTH 4TH STREET

The ordinance pertains to a No Parking zone placed on the west side of north 4th Street from Locust Street to Chestnut Street.

- ✓ *Motion To Approve Ordinance No. 1412*

Council Member Fleming moved to approve Ordinance No. 1412 for 'No Parking' on designated portion of North 4th Street. Motion seconded by Council Member Shields, voted on, passed 5-0. Time: 7:18 p.m.

ATTENDANCE TO KDHE "ASSET MANAGEMENT TRAINING" ON DECEMBER 18TH AT PARSONS

Mayor Weitman discussed the importance of having some from the city attend for staying informed as to future water and wastewater utilities requirements and adaptability. Could have up to five attend: Mayor Weitman; Council Member Meisel; Public Works Superintendent Johnson; Public Works Moore; and, City Clerk Herrin.

✓ *Motion To Approve up to 5 to Attend KDHE Training Course at Parsons*

Council Member Robbins moved to approve sending up to five from the city to the KDHE 'Asset Management Training' workshop in Parsons on December 18th with per diem. Motion seconded by Council Member Fleming, voted on, passed 5-0. Time: 7:22 p.m.

PLANS & SPECIFICATIONS FOR EMERGENCY WATER SUPPLY CONNECTION WITH RWD #3

Discussed the presented written plans. Jim Johnson had a question on the back-feed setter size. Determined Mayor Weitman and Jim would set up a teleconference with Rex Heape, engineer.

NEW BUSINESS:

PEOPLES' INTERNET SERVICE AGREEMENT

City is currently on a 'no contract' price for city hall internet service. There has been a price change with a rate reduction if the city wants to consider a three year service agreement. The police department currently requires the type of internet line available here only by Peoples' service. The contract can be discontinued with a pro-rated fee if another service of preferred choice becomes available. Discussed using a different speed for better reception, especially for web class training, and that the speed could be increased at a later date.

✓ *Motion to Approve Three-Year Internet Contract with 3MB Speed*

Council Member Robbins moved to approve a three-year internet contract with 3MB speed through Peoples Telecommunications. Motion seconded by Council Member Fleming, voted on, passed 5-0. Time: 7:32 p.m.

CANCELLATION OF OUTSTANDING ACCOUNTS PAYABLE CHECKS/WARRANTS

City Clerk presented the need for the City Council to provide the consent for city office personnel to address the current outstanding AP Checks/Warrants and then continue on an annual basis as part of the accounts payable process.

✓ *Motion To Authorize Outstanding AP Checks/Warrants on Annual Basis per State Statutes*

Council Member Meisel moved to authorize the city office personnel to address the current outstanding AP Checks/Warrants and continue on an annual basis as part of the accounts payable process. Motion seconded by Council Member Shields, voted on, passed 5-0. Time: 7:34 p.m.

DESTRUCTION OF EXPIRED RECORDS AND UNUSABLE CITY EQUIPMENT WITH LESS THAN \$500 VALUE

Discussed authorizing the city personnel to handle the destruction of expired city records (those records meeting the Kansas State Statutes to destroy) and the unusable city office equipment with less than a \$500 cash value. The city will maintain a dated list of the items destroyed. Then the city office personnel will continue to update annually to include maintenance of the recordkeeping.

✓ *Motion to Authorize Destruction of Expired Records & Unusable Equipment with < \$500 Value*

Council Member Meisel moved authorize the destruction of city expired records and unusable equipment with less than a \$500 value on an ongoing annual basis; and, maintaining a record of items destroyed. Motion seconded by Council Member Shields, voted on, passed 5-0. Time: 7:37 p.m.

2013 MOBILE HOME LICENSES

City Clerk reported only one license application out of three had been received; and that one had only been received yesterday afternoon. Will table the topic until the next meeting and send follow-ups to the two Mobile Home Parks that have not responded.

ATTENDANCE AT DECEMBER 19TH CITY COUNCIL MEETING

Discussed if a quorum would be available for the last city council meeting of the year, Wednesday, December 19th. Council Member Robbins will not be available; everyone else will. The Council Meeting will be held at the regular time.

YEAR END BUDGET

City Clerk reported the 2012 Budget appeared to be close for some funds in the General Fund with the Fire and Street funds within the General Fund having some dollars not currently spent. Council and city employees discussed the need to maintain the budget dollars for both the Fire and General-Street sections for major expenses that still need to be addressed. Noted these are preliminary numbers and will review in detail the Year End Budget and Cash Flow numbers at the December 19th meeting.

EXECUTIVE SESSION:

✓ *Motion To Go Into Executive Session*

Council Member Fleming moved to go into executive session for personnel and legal for up to thirty (30) minutes following a ten minute break. Motion seconded by Council Member Meisel, voted on, passed 5-0. Time: 7:46 p.m.

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

Open Session Resumed at 8:22 p.m.

OTHER BUSINESS:

NONE

CITY CLERK'S REPORT:

NONE

NOTES AND COMMUNICATIONS TO COUNCIL:

- a] Thank You from Grady's Kids
- b] Jim Johnson Attendance to Career Track Seminar

ADJOURNMENT:

✓ *Motion to Adjourn Meeting*

There being no further business, **Council Member Fleming moved to adjourn the meeting. Motion seconded by Council Member Meisel, voted on, Passed 5-0.** The Regular meeting was adjourned at 8:23 p.m.

I, _____ La Cygne City Clerk, do hereby declare the
(Devona Herrin) above to be true and correct, to the best of my knowledge, and do hereby subscribe my name this 5th day of December 2012.

December 19, 2012

REGULAR MEETING:

The La Cygne City Council met on Wednesday, December 19, 2012 at La Cygne City Hall. Council Members present were: Jake Fleming; Linda Meisel; Robert Sullivan; and Esther Shields. Absent: Travis Robbins.

Others in attendance included, but not limited to: City Clerk Devona Herrin; City Attorney John Sutherland; Police Chief Tate West; Public Works Superintendent Jim Johnson; Fire Chief Dan Nasalroad; Judy Kinder; Dawn Waisner; Robert Turpen; LeRoy Turpen; and Fred Meisel.

Mayor Terry Weitman called the meeting to order at 7:00 p.m. Pledge of Allegiance was led by Mayor Terry Weitman.

MAYOR'S COMMENTS:

- ❖ Expressed appreciation to Peoples Telecommunications for their donation of \$1,400 to go towards some utility customers' bills that could use the help.
- ❖ Several Christmas Cards have been received by the city.
- ❖ Thank you to those who also sent snacks, to include firms and businesses.
- ❖ Thank you card from former City Police Chief Paul Filla.

CONSENT AGENDA:

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

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

Minutes of December 5, 2012 Regular City Council Meeting;
Check Register: December 6 - 19, 2012;
November 2012 Budget Report; and,
November 2012 Treasurer's Report.

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

DISCUSSION FROM THE FLOOR:

- ❖ Dawn Waisner asked the city council to consider waiving the Community Building fee for the Cub Scouts to hold an Ice Cream Fundraiser and scout meeting on Sunday, January 20, 2013.

✓ ***Motion To Waive Community Building Fee for Cub Scouts Fundraiser on January 20, 2013***

Council Member Fleming moved to waive the Community Building fee for the Cub Scouts to hold their Ice Cream Fundraiser and scout meeting on Sunday, January 20, 2013. Motion seconded by Council Member Meisel, voted on, passed 4-0. Time: 7:04 p.m.

REPORTS OF CITY OFFICERS:

POLICE DEPARTMENT – CHIEF TATE WEST

Reported on the following:

19. Eighteen citations issued in last two weeks.
20. Signs for school zone are still pending for all posting requirements.
21. Preparing to install the No Parking Zone signs on North 4th Street.
22. Three more codes violations addressed.
23. Performance Appraisals completed.
24. Reported on Coalition projects. In the past the city has supported the Coalition with \$3.00 per violation.

PUBLIC WORKS DEPARTMENT – SUPERINTENDENT JIM JOHNSON

Reported on the following:

25. The sidewalks needing replaced due to water leaks have had the cement poured.
26. Worked on the city park's sewer connects at the camping sites. Approximately half done.
27. Wished mayor and council a safe and Happy Christmas. It has been a pleasure for public works employees to work with the existing members and made a big difference in morale.

FIRE CHIEF DAN NASALROAD

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Reported on the following:

12. The Department has been extremely busy the last few weeks.
13. The need to purchase an air compressor to refill the air packs. Continuing to try to determine the best reconditioned apparatus to meet the fire departments' needs. Asked the city to earmark up to \$12,000 with this years budget for the purchase of a reconditioned air compressor once one is located; which may not have a final cost until after the first of the year.

✓ *Motion To Incur Up to \$12,000 of 2012 Funds on a Reconditioned Compressor*

Council Member Meisel moved to spend up to \$12,000 on a reconditioned compressor using 2012 funds. Motion seconded by Council Member Sullivan, voted on, passed 4-0. Time: 7:14 p.m.

COUNCIL COMMITTEE REPORTS:

COMMUNITY BUILDING

- ❖ Council Member Shields inquired about two electronic organs available to be donated to the Community Building for community use. Council Member Shields asked the council to let her know and there did not have to be any decisions tonight.

SPECIAL COMMITTEE REPORTS:

NONE

UNFINISHED BUSINESS:

2013 MOBILE HOME PARK LICENSES

I. SLOCUM, 627 N. BROADWAY

II. BROKERAGE SECURITIES, 520 N. 5TH

III. MARSH, 520 N. 5TH STREET

Codes Officer West reported any pending repairs were not substantial and were work in progress. All of the license applications had been received by the city.

✓ *Motion To Approve all Three 2013 Mobile Home Park Licenses*

Council Member Meisel moved to approve all three 2013 Mobile Home Park Licenses. Seconded by Council Member Fleming, voted on, passed 4-0. Time: 7:18 p.m.

EMERGENCY WATER SUPPLY CONNECTION BID DOCUMENT FORMS FROM SK&W

Mayor Weitman provided an update to the council regarding the conference call with Danny from SK&W, and Jim and Devona. SK&W will prepare a simplistic bid form at their hourly rate and that type of form would be less than \$500.00. Concurred it would be helpful to the city for them to draw up the form. Public Works' Superintendent Johnson asked the city clerk to contact them to have the form completed.

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NEW BUSINESS:

CHILDREN'S COALITION PREVENTION FUND DONATION

This is an annual decision to donate to the Children's Coalition. The city's court costs have had \$3.00 per municipal court conviction set aside for the annual donation. This year the total set aside is \$459.00.

✓ *Motion to Approve \$459.00 to Children's Coalition Prevention Fund*

Council Member Meisel moved to approve the \$459.00 to the Children's Coalition Prevention Fund. Motion seconded by Council Member Fleming, voted on, passed 4-0. Time: 7:22 p.m.

APPOINTMENT OF HOUSING AUTHORITY BOARD MEMBERS

Mayor Weitman requested this item be tabled until the next council meeting as he had been unable to make contact with the two members with the expiring terms to talk to them.

APPOINTMENT OF PARK BOARD MEMBERS

Mayor Weitman noted Robert Blanck's term was expiring and he was not interested in another term. The recommendation of Kenny McClanahan, remaining for another term, and Diana Stainbrook to replace the vacancy left by Robert Blanck, was made by the mayor after receiving the information from Jodi Wade, Park Board.

✓ *Motion To Approve Appointment Recommendations of Kenny McClanahan & Diana Stainbrook to the Park Board*

Council Member Meisel moved to approve the mayors Park Board recommendations of Kenny McClanahan and Diana Stainbrook. Motion seconded by Council Member Fleming, voted on, passed 4-0. Time: 7:24 p.m.

REQUEST TO TRANSFER EXCESS GENERAL FUNDS

Discussed the process of having the ability to transfer any year-end excess general fund monies to capital improvement &/or the equipment reserve funds. The discussion included having any left over cash from 2012 to be set aside for a bigger street project than one year of funds would allow. Agreed would like to put some aside for major street repairs, but also needed to build up the capital improvement and equipment reserve funds. If possible would like to have up to \$50,000 set aside to go to the street improvements.

✓ *Motion to Transfer Excess General Funds and Set Aside some Excess for Street Repairs*

Council Member Meisel moved to allow the maximum year-end transfer available amount from the general fund to be allocated with 50% into streets for up to \$50,000 and the rest to be split 25% to Equipment Reserve and 25% to Capital Improvement. Motion seconded by Council Member Shields, voted on, passed 4-0. Time: 7:34 p.m.

AUTHORITY TO TRANSFER EXCESS SPECIAL PARK & POOL FUNDS

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✓ *Motion to Transfer Excess Special Park & Pool Funds*

Council Member Shields moved to allow the transfer of the excess year-end Special Park & Pool funds to a Park & Pool Reserve Fund. Motion seconded by Council Member Fleming, voted on, passed 4-0. Time: 7:38 p.m.

CHANGE THE "OPEN" TIMES/DATES AT TRASH COMPACTOR BETWEEN CHRISTMAS AND NEW YEARS

Mayor Weitman talked to the county about the possibility of changing the pick up dates to enable the compactor to be open on different dates the week of Christmas. Council discussed if the change in dates would still possibly cause the compactor to fill up before the next county pick up over the weekend before New Years. Discussed the availability to the public might help with the daily volume, and, can put a short notice in both papers and post the change in hours for the week.

✓ *Motion to Have Trash Compactor Open Thursday, December 27th & Friday, December 28th*

Council Member Meisel moved to have the Trash Compactor open on Thursday, December 27th, and Friday, December 28th. Motion seconded by Council Member Fleming, voted on, passed 4-0. Time: 7:46 p.m.

✓ *Motion to Establish Hours Compactor will be Open on December 27th & 28th*

Council Member Meisel moved to have the Trash Compactor open on Thursday, December 27th from 1 – 7 p.m. and on Friday, December 28th from 1 – 5 p.m. Motion seconded by Council Member Fleming, voted on, passed 4-0. Time: 7:48 p.m.

REVIEW THE YEAR-END FUND NUMBERS AS OF COUNCIL MEETING DATE

Reviewed the mid-December budget numbers with the council, police, and public works. All funds appear to be within the budget, except possibly the police department, and the cash funds.

EXECUTIVE SESSION:

✓ *Motion To Go Into Executive Session*

Council Member Fleming moved to go into executive session for personnel for up to fifteen (15) minutes. Motion seconded by Council Member Meisel, voted on, passed 4-0. Time: 7:56 p.m.

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

Open Session Resumed at 8:08 p.m.

OTHER BUSINESS:

ASSET MANAGEMENT WORKSHOP REPORT

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Mayor Weitman reported on the Asset Management Workshop he attended with Council Member Meisel, Jerome Moore with Public Works, and City Clerk Herrin. It was a program any city can use to what extent you want to build history for the city. This would help a lot to establish needs in the future. Public Works Superintendent Johnson concurred it would help identify future needs. The city could start small and grow with it.

CITY CLERK TO ATTEND KRWA ANNUAL CONFERENCE AND CLERK'S CONFERENCE IN MARCH 2013

Clerk Herrin reported she had been asked to be a moderator for one of the sessions at the KRWA Annual Conference in March 2013. The Clerk's Conference is also in March on a different week and in the past the clerk has not attended both conferences the same year. At this time the preference would be to attend the Clerk's Conference if need to choose. How does the council feel about the clerk possibly attending both for one year? Public Works Superintendent Johnson felt it might be good for the office personnel to attend the financial part of the KRWA Conference as they handle that part of the utilities.

✓ *Motion to Allow City Clerk to Attend both Conferences if Schedule Allows*

Council Member Shields moved to allow the City Clerk to attend both conferences in March if schedule allows. Motion seconded by Council Member Meisel, voted on, passed 4-0. Time: 8:12 p.m.

CITY CLERK'S REPORT:

- ✓ A Boundary Resolution is not required as there were no changes in the city boundary for 2013. Did determine we needed to make sure the last resolution is current as there had been some land purchases by the city in recent years and not sure they were in the city limits. The City Clerk will check and address by a resolution if needed.

✓ *Motion to Hire Schmidt to Update Boundary Resolution if Needed*

Council Member Shields moved to hire Schmidt to help update the land description wording for a boundary resolution if needed. Motion seconded by Council Member Sullivan, voted on, passed 4-0. Time: 8:20 p.m.

NOTES AND COMMUNICATIONS TO COUNCIL:

- a] Many Christmas Cards and Best Wishes to the City

ADJOURNMENT:

✓ *Motion to Adjourn Meeting*

There being no further business, **Council Member Fleming moved to adjourn the meeting. Motion seconded by Council Member Meisel, voted on, Passed 4-0.** The Regular meeting was adjourned at 8:21 p.m.

Record of the Proceedings of the Governing Body
REGULAR MEETING Page 139 of 140 Pages **Year = 2012**

I, _____ La Cygne City Clerk, do hereby declare the
(Devona Herrin) above to be true and correct, to the best of my
knowledge, and do hereby subscribe my name
this 19th day of Dec

December 21, 2012

SPECIAL MEETING:

The La Cygne City Council met for a Special Meeting on Friday, December 21, 2012 at La Cygne City Hall. Council Members present were: Jake Fleming; Linda Meisel; Travis Robbins; Robert Sullivan; and Esther Shields.

Others in attendance included, but not limited to: City Clerk Devona Herrin.

Mayor Terry Weitman called the special meeting to order at 5:00 p.m.

The Purpose of the Special Meeting was:

- ❖ Personnel.

Retirement of Treasurer / Court Clerk Linda Elder

Mayor Terry Weitman read aloud Linda Elder's retirement letter to the city effective April 30, 2013. Linda has been with the city for twenty-one years and hopes to continue to see everyone often. Discussed attempting to find a replacement to allow a few months for training.

Publish Advertisement for City Treasurer / Court Clerk

✓ *Motion To Go Publish Advertisement for City Treasurer and Court Clerk*

Council Member Fleming moved to advertise for City Treasurer / Court Clerk. Motion seconded by Council Member Shields, voted on, passed 5-0. Time: 5:02 p.m.

Will run for two weeks in the local papers listing general help wanted information; and will leave the position open until filled.

EXECUTIVE SESSION:

✓ *Motion To Go Into Executive Session*

Council Member Meisel moved to go into executive session for personnel for up to ten (10) minutes. Motion seconded by Council Member Fleming, voted on, passed 5-0. Time: 5:04 p.m.

In addition to the Mayor and Council Members, others requesting time or invited into portions of the executive sessions included: City Clerk Herrin.

EXTEND EXECUTIVE SESSION:

✓ *Motion To Extend Executive Session*

Council Member Meisel moved to extend executive session for personnel for up to ten (10) minutes. Motion seconded by Council Member Fleming, voted on, passed 5-0. Time: 5:14 p.m.

Open Session Resumed at 5:24 p.m.

GENERAL DISCUSSION FOR POSITION REPLACEMENT

Discussed:

1. Placing the advertisement in the Linn County News and the Miami County Graphic for two weeks.
2. Leave advertisement locally for now.
3. The state requires the appointed officers to be a qualified voter of the State of Kansas.
4. The City Charter Ordinance also requires appointed officers to be a qualified voter of the County of Linn.
5. The City Council will review all of the applications during regular meetings in executive session.
6. Wage would depend on qualifications.
7. Will review court clerk wage requirements as part of the full-time employment.

ADJOURNMENT:

✓ *Motion to Adjourn Meeting*

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

I, _____
(Devona Herrin)

La Cygne City Clerk, do hereby declare the above to be true and correct, to the best of my knowledge, and do hereby subscribe my name this 21st day of December 2012.