

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

## **REGULAR MEETING:**

The La Cygne City Council met on Wednesday, January 2, 2019 at La Cygne City Hall. Council Members present were: Danny Curtis; Esther Shields; Keith Stoker; and Jerome Mitzner.

Others in attendance included, but not limited to: City Attorney John Sutherland; City Clerk Jodi Wade; Public Works Superintendent Jim Johnson; Police Chief Tate West; Fire Chief Dan Nasalroad; Deb Wilson and Linn County News Tony Furse.

## **CALL REGULAR MEETING TO ORDER (6:00 P.M.)**

Pledge of Allegiance – City Clerk Jodi Wade

## **MAYOR'S COMMENTS:**

NONE

## **CONSENT AGENDA:**

### **❖ Motion to approve Consent Agenda:**

**Council Member Shields motioned to accept the Consent Agenda as presented which consisted of:**

Minutes of December 19, 2018 City Council Meeting

Check Register: December 20 – January 2, 2019

**Motion seconded by Council Member Stoker, voted on, passed 4-0.**

## **DISCUSSION FROM THE FLOOR:**

None

## **SPECIAL PROJECTS:**

~~Report by Brett Waggoner with BG Consultants~~

Report from Public Works – Jim Johnson

### **WATER DISTRIBUTION PROJECT PHASE II UPDATE**

- a) Public works Superintendent (PWS) Johnson informed the Council Members about antennae in the meter pits ended up floating due to the amount of water in the meter pits from the recent rains. PWS Johnson would like for the situation to be investigated by the Sensus representative and BG Consultant Brett Waggoner.
- b) PWS Johnson stated that o-rings, old 5/8" meters and (1) extra new fire hydrant are all stored at the shop until determination is made on disposal.
- c) All old lines are drained, Orr-Wyatt has one person here working on the punch list items that still need to be done, 15 old fire hydrants have been removed and the asphalt and concrete work will be done next week.

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## **SPECIAL PROJECTS CONT:**

### **WATER LINE PAY APPLICATION #26 ORR-WYATT STREETSCAPES**

- a) City Clerk Wade reviewed pay application #26 received from Orr-Wyatt Streetscapes and reminded the Council Members that even though the retainage has been reduced they do not have to accept that if they feel there is still a lot to do on the punch list.

❖ **Motion**

**Council Member Mitzner motioned to pay Orr-Wyatt Streetscapes payment application #26 with the City retaining 5% of the retainage. Motion seconded by Council Member Stoker, voted on, passed 4-0.**

### **WATER TOWER**

City Clerk Wade informed the Council Members that Maguire Iron is scheduled to dismantle the witch hat tower on January 7, 2019.

### **WATER TREATMENT PLANT**

BG Consultant Eric delivered the Project Manuals for the Water Treatment Plant to USDA. Eric has not been able to get in contact with USDA due to the Government shut-down. Eric would like to schedule a pre-construction meeting in the next couple of weeks.

### **SEWER PROJECT**

- a) CCTV Inspection Contractor ACE Pipe Cleaning Payment Request #4 for **\$17,276.** City Clerk Wade reviewed the application and said that the video camera work is complete and the data should have been delivered to BG Consultants shortly after the last Council meeting. Council member Mitzner inquired if the ruts had been repaired at the Fire Station and any other locations in town. PWS Johnson stated that nothing has been done to date, City Clerk Wade concurred.
- b) CCTV Inspection Contractor ACE Pipe Cleaning Payment Request #5 for **\$718.19.** City Clerk Wade spoke to BG consultant Brett Waggoner about the final price being higher than the contract amount. Brett will put together a change order for the difference to present at the next meeting.

Council member Mitzner asked the Council to table Pay application #4 and Pay Application #5 for Ace Pipe Cleaning until the January 16, 2019 meeting.

## **\*\* 7:00pm Hearing for Vicious Animal\*\***

Chief West informed the public of a hearing for the governing body to determine if a dog will be deemed dangerous/vicious per city ordinance 1455 section 2-213C. Chief West reviewed the situation involving a minor child that had two small incisor teeth bite marks on

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the cheek with some bruising about the size of the muzzle of the dog. Chief West sent notice of the hearing to the dog's owners and the family of the minor child. Chief West explained there were no prior incidents with the animal and that the owners do keep the dog on a chain when outside of the home. The dog was on a leash when the occurrence took place. The owner, Phaedra Freeman explained to the Council that she has owned the dog since it was 6 weeks old, it is an inside dog with lots of daily human contact and has never

## **\*\* 7:00pm Hearing for Vicious Animal Continued\*\***

been aggressive. Chief West and City Attorney Sutherland reviewed the responsibilities involved if deemed vicious or if not deemed vicious.

### **❖ Motion**

**Council Member Shields motioned since there was not enough evidence to deem the dog vicious that we find the animal to be a non-vicious animal. Motion seconded by Council Member Stoker, voted on, passed 4-0.**

## **Regular Session resumed at 7:16pm**

### **REPORTS OF CITY OFFICERS:**

#### **CITY ATTORNEY – JOHN SUTHERLAND - NONE**

#### **POLICE DEPARTMENT – CHIEF TATE WEST**

- a) Chief West presented a shadow box to retired Officer Shaun West. Officer West thanked the Public Works, La Cygne Police, and City Clerks for their professionalism of service that they provided to their employees and to their city.

#### **PUBLIC WORKS DEPARTMENT – PUBLIC WORKS SUPERINTENDENT JIM JOHNSON**

1. PWS Johnson explained a problem at the water plant in which a 2" pipe had a rusted weak spot that a hole blew out of and was fortunately able to be repaired. PWS Johnson advised the Council to be concerned on the condition of the pipes within the plant and prepared if they need to be replaced in the near future.
2. PWS Johnson would like for him, Codee Blanchett, and Jerry McCarty to attend the KS Safe Dig Excavator Program in Ottawa on January 14, 2019 at 6:30pm.

### **❖ Motion**

**Council Member Mitzner motioned to send public works to the Excavator Program on January 14, 2019 in Ottawa with the city absorbing the cost of time to travel there and back. Motion seconded by Council Member Curtis, voted on, passed 4-0.**

#### **FIRE DEPARTMENT – FIRE CHIEF DAN NASALROAD –**

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Fire Chief Nasalroad will not be able to attend the Firefighter Relief Seminar on January 19, 2019. Fire Chief Nasalroad stated that the fire hydrants at Family Café and the swimming pool need to be clocked.

## **REPORTS OF CITY OFFICERS CONT:**

### **CITY CLERK – JODI WADE -**

- a) Utility bills were mailed out today. It was a bit rough and we still have some kinks to work out but we managed to get this first read completed.
- b) W-2s have been completed and will be issued out the first part of next week.
- c) City clerk Wade wanted to give a big thank you to Devona Herrin for all of her hard work on the vault. She sorted through all of the boxes and got the records organized.
- d) The Lead and copper sampling plan will be mailed out the end of this week.
- e) City clerk Wade reviewed the 2018 Budget and educated the Council on the short-fall in the Ad Valorem taxes and the Sale Taxes in 2018. We need to pay attention to see if this will be a trend in our revenues in the next couple of years.
- f) City clerk Wade and PWS Johnson completed the review of the pre-employment Job Analysis physical for Public Works operator. Information will be sent in and hopefully in place before the next applicant goes in for a pre-employee screening. City clerk Wade will update the job description for Public Works to match the information in the pre-employment physical.

## **COUNCIL COMMITTEE REPORTS:**

**WATER & GAS –NONE**

**STREET – NONE**

**SEWER – NONE**

**PARK -NONE**

**CEMETERY –NONE**

**PUBLIC SAFETY –NONE**

**COMMUNITY BUILDING-NONE**

**EMPLOYEE RELATIONS & TRAINING - NONE**

## **SPECIAL COMMITTEE REPORTS:**

**EMERGENCY MANAGEMENT – NONE**

**SWANFEST COMMITTEE -NONE**

**PLANNING COMMISSION -**

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

Mayor Sullivan read a resignation letter received from Gerald Stanley indicating his resignation effective January 1, 2019.

❖ **Motion**

**Council Member Mitzner motioned to accept the resignation letter from Gerald Stanley from the Planning Commission effective January 2, 2019. Motion seconded by Council Member Stoker, voted on, passed 4-0.**

## **UNFINISHED BUSINESS:**

### **LINN VALLEY LAKES WATER CONNECTION/RATES**

Council Member Stoker, Council Member Shields and Mayor Sullivan offered to meet after 5:30pm next week to review rates and connection fee for Linn Valley Lakes Water.

## **UNFINISHED BUSINESS CONT:**

### **PRO ACTIVE AGRICULTURE PROJECT 103 & 115 N. BROADWAY ST.**

City Clerk Wade reviewed the situation with the water meters at 103 and 115 N. Broadway that were located inside the building. The original meters were connected to water main line under Broadway street. With the Water Line improvement projects, a new main was put in the alley behind these building and a new meter pit/meter was installed just off of that new main line. Bids were submitted to the Council as requested in a letter that was mailed to the Business owners. USDA indicated that funds would only be available for the work performed outside of the buildings, nothing inside. City Council reviewed the situation and came to a common agreement that the changes necessary to these building meters were created due to the Water Improvement Project.

❖ **Motion**

**Council Member Mitzner motioned for the city to absorb the cost to do the inside work at 103 and 115 Broadway at a price not to exceed the amount indicated on the received proposal. Motion seconded by Council Member Stoker, voted on, passed 4-0.**

## **NEW BUSINESS:**

### **KMEA PRE-PAY PROJECT AGREEMENT**

City clerk Wade reviewed a potential 30-year agreement through KMGa with Minnesota Municipal Gas Agency (MMGA). This agreement would allow for the city to pre-purchase 1/3 of their gas supply at a discounted price as indicated by MMGA. City Attorney Sutherland had further questions regarding some of the referenced appendix that were not included in the paperwork received. The Council members asked City clerk Wade to contact KMGa to see if a representative of their company could attend the January 16<sup>th</sup>, 2019 meeting.

## **EXECUTIVE SESSION:**

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❖ **Motion**

**Council Member Mitzner moved to go into executive session for 15 minutes following a 10-minute break for Non-elected personnel matter exception to discuss employee applications. Motion seconded by Council Member Curtis, voted on, passed 4-0. Time 7:40pm**

Others in attendance included, but not limited to: City Clerk Jodi Wade; City Attorney John Sutherland; Public Works Superintendent Johnson.

**Open Session Resumed at 8:05p.m.**

**OTHER BUSINESS:**

- a) City Clerk Wade reminded the Council that this is the month to review COLA and/or wage increases per our Policy. City Clerk Wade reviewed the 2019 COLA rate of 2.8%. Mayor Sullivan and Council Member Mitzner both indicated the importance of getting our open position in Public Works and in the Office filled. Mayor Sullivan asked City Clerk Wade if our budget had allowance available for wage increase. City clerk Wade asked for the opportunity to review the budget and report back at the January 16, 2019 meeting.

**NOTES AND COMMUNICATIONS TO COUNCIL:**

None

**ADJOURNMENT:**

❖ **Motion**

**Council Member Curtis moved to adjourn the meeting. Motion seconded by Council Member Shields, voted on, passed 4-0. Time 8:11pm.**

I, \_\_\_\_\_ La Cygne City Clerk, do hereby declare  
(Jodi Wade) the above to be true and correct, to the  
best of my knowledge, and do hereby  
subscribe my name this 2<sup>nd</sup> of Jan 2019.

**SPECIAL MEETING:**

The La Cygne City Council met for a Special Meeting on Thursday, January 10, 2019 at La Cygne City Hall. Council Members present were: Danny Curtis; Esther Shields; Keith Stoker. Absent: Jerome Mitzner.

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Others in attendance included, but not limited to: City Clerk Jodi Wade; City Attorney John Sutherland; and, Linn County Newspaper Reporter Tony Furse.

Mayor Robert Sullivan called the special meeting to order at 6:02 p.m.

*The Purpose of the Special Meeting was called for:*

❖ **Discuss Clarity of Proposal for Linn Valley Water**

❖ **Motion**

**Council Member Curtis moved to go into Executive session for 15-minutes for discussion/review of data relating to trade secrets. Motion seconded by Council Member Shield, voted on, passed 3-0. Time 6:05pm**

**Open Session Resumed at 6:20pm**

**ADJOURNMENT:**

❖ **Motion**

**Council Member Curtis moved to adjourn the meeting. Motion seconded by Council Member Stoker, voted on, passed 3-0. Time 6:21 pm.**

I, \_\_\_\_\_ La Cygne City Clerk, do hereby declare  
(Jodi Wade) the above to be true and correct, to the  
best of my knowledge, and do hereby  
subscribe my name this 10<sup>th</sup> day of January  
2019.

**REGULAR MEETING:**

The La Cygne City Council met on Wednesday, January 16, 2019 at La Cygne City Hall. Council Members present were: Danny Curtis; Esther Shields; and Jerome Mitzner. Absent: Keith Stoker

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

**CALL REGULAR MEETING TO ORDER (6:00 P.M.)**

Pledge of Allegiance – Police Chief Tate West

**MAYOR'S COMMENTS:**

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- a] Mayor Sullivan thanked the Public Works department for getting the streets cleared neatly and in a fast manner. Mayor Sullivan was contacted by the compactor operator on Jan 12<sup>th</sup> about closing due to the weather and Mayor Sullivan did give approval to close.
- b] Council Member Shields also added a thank you to Mike Van Vlack for clearing the snow from the Sidewalks.
- c] Public Works Superintendent Johnson thanked Danny Curtis with Peoples Telecom for helping with snow removal also.

## **CONSENT AGENDA:**

### **❖ Motion to approve Consent Agenda:**

**Council Member Shields motioned to accept the Consent Agenda as presented which consisted of:**

Minutes of January 02, 2019 City Council Meeting;  
Minutes of January 10, 2019 Special Council Meeting;  
Check Register: January 3 – 16, 2019;

**Motion seconded by Council Member Mitzner, voted on, passed 3-0.**

## **DISCUSSION FROM THE FLOOR:**

Devona Herrin thanked the Council for the card and gift certificate. Mayor Sullivan thanked her for her many years of service in which Devona Herrin indicated was a total of 14 years with the City of La Cygne.

## **SPECIAL PROJECTS:**

**Report by Brett Waggoner with BG Consultants  
Report from Public Works – Jim Johnson**

### **WATER DISTRIBUTION PROJECT PHASE II UPDATE**

- d) BG Consultant Brett Waggoner reviewed the Substantial Completion Certificate submitted by Orr Wyatt Streetscapes dated December 21, 2018 which also included a punch list from Orr Wyatt Streetscapes and a punch list from Public Works Superintendent (PWS) Johnson. Brett reviewed the definition of substantial completion and reminded the Council that items on the punch lists are still required to be completed and they have the right to hold retainage until

## **SPECIAL PROJECTS CONT:**

### **WATER DISTRIBUTION PROJECT PHASE II UPDATE**

everything is done as specified by plans. Council Member Mitzner asked PWS Johnson if he was confident that Orr Wyatt has met substantial completion and PWS Johnson confirmed that the project did meet the definition of substantial completion as of the date listed on the certificate. Council Members Curtis and Mitzner asked about the meter at the Marsh trailer court and PWS Johnson stated that those items are being addressed and completed by Orr Wyatt. PWS Johnson also stated that Orr



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Wyatt is working on capping the old line under Beachner Grain property and Brett confirmed that Orr Wyatt stated the capping of the line at Beachner Grain is to be completed by January 18<sup>th</sup>/Jan 21<sup>st</sup> weather permitting.

- e) Mayor Sullivan inquired about the meter antennae/lids not working as installed. BG Consultant Brett Waggoner informed the Mayor and Council that he has been in contact with Preston with Core & Main (supplier) and Orr Wyatt Streetscapes (Contractor) to research the installation set-up for the antennae. Brett explained the process of material submittal at the start of a job and explained that there was a change in the brand of meter that was installed. The Engineer, supplier and contractor are reviewing the installation and will determine a fix for the problem and a cost for the repair. Brett confirmed with Mayor Sullivan that it would not be at a cost to the city.

### **WATER TOWER**

- a) BG Consultant Brett Waggoner confirmed that the tower has been removed. PWS Johnson confirmed that the foundation was fully removed and that McElreath Excavation will complete dirt work as soon as the weather permits.
- b) **REMOVAL OF OLD TOWER MAGUIRE IRON PAY REQUEST #11-FINAL FOR \$33,000.**  
BG Consultant Brett Waggoner reviewed with the Council the situation that occurred with Frankie's Liquor. Brett is contacting the owner of the business to find out first hand what took place. Brett recommended the Council could hold a 5% retainage. Council Member Mitzner asked to table the pay request until information on Frankie's business was determined.

### **WATER TREATMENT PLANT**

BG Consultant Eric delivered the Project Manuals for the Water Treatment Plant to USDA. Eric has not been able to get in contact with USDA due to the Government shut-down. Eric would like to reschedule the pre-construction meeting to February 8, 2019.

### **SEWER PROJECT**

BG Consultant Brett contacted ACE and told them to contact the city in regards to the ruts. PWS Johnson spoke to Jeremy with ACE and they plan to take care of the ruts as soon as weather will allow. Brett did receive the video data and is in the process of reviewing to put together the PER.

- c) CCTV Inspection Contractor ACE Pipe Cleaning Payment Request #4 for **\$17,276.**  
Tabled
- d) CCTV Inspection Contractor ACE Pipe Cleaning Payment Request #5 for **\$718.19.**  
Tabled

Council member Mitzner asked the Council to table Pay application #4 and Pay Application #5 for Ace Pipe Cleaning until the February 6, 2019 meeting.

### **SPECIAL PROJECTS CONT:**

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

## **SUBSTANTIAL COMPLETION CERTIFICATE FOR WATER PROJECT PHASE II**

### **❖ Motion**

**Council Member Mitzner motioned to give authority to the Mayor to sign the Substantial Completion Certificate for Water Project Phase II dated December 21, 2018. Motion seconded by Council Member Curtis, voted on, passed 3-0.**

## **KDOT CCLIP PROJECT (MARKET & INDUSTRIAL)**

BG Consultant Brett Waggoner stated that the survey work was completed Dec 19 and data will be reviewed and design concept work will begin in January 2019. Potential meeting in March to review concept.

## **MARKET STREET SIDEWALK AWARD**

BG Consultant Brett Waggoner presented a plaque that was awarded to the City of La Cygne by the KS Ready Mixed Concrete Association for the Sidewalk project.

## **REPORTS OF CITY OFFICERS:**

### **CITY ATTORNEY – JOHN SUTHERLAND - NONE**

#### **POLICE DEPARTMENT – CHIEF TATE WEST**

- 5 Citations
- 216 dogs tagged for 2018/43 left to be tagged
- Vin Insp – 1
- Street lights reported out.
- Chief West showed pictures of rut damage at the La Cygne Community Park from the past weekend snow storm. It appears a vehicle drove through areas on the East and West side of the park while roads were covered with snow. Large ruts were made in several areas in which the vehicle was off the road. Chief West will continue to investigate to find the individuals responsible. Chief West explained to the Council that damage over the amount of \$1000.00 is a felony charge.

#### **PUBLIC WORKS DEPARTMENT – PUBLIC WORKS SUPERINTENDENT JIM JOHNSON**

- Cleaned Shop
- 1-Ton ready for possible Snow
- Ron Wier – Old Fire Hydrant 1969

### **❖ Motion**

**Council Member Mitzner motioned to approve any old fire hydrants removed will be made available to residents by appointment to select (1) old fire hydrant per household while supplies last. Motion seconded by Council Member Shields, voted on, passed 3-0.**

- Storm – Snow cleared on all city streets.
- Park Lift Station – No KCPL Power/Generator working, Check Valve Broke and filled pump house 4' of sewer. Temporary repair has been done.
- KCPL power loss at North Tower for 2 days/repaired January 14, 2019.

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## **REPORTS OF CITY OFFICERS CONT:**

### **PUBLIC WORKS DEPARTMENT – PUBLIC WORKS SUPERINTENDENT JIM JOHNSON**

- Water Tower Microcom wiring in water plant. Couldn't turn on by hand. Microcom part/repair January 15, 2019.
- Issues with SB Wyatt showing up on January 14, 2019 at 8am wanting us to shut down valves for Beachner line capping. No locates were called in and no calls were received by the city to know SB Wyatt Streetscapes was coming. PWS Johnson informed them that shutting valves and capping the line was part of SB Wyatts job to do. SB Wyatt broke a line and wanted the city to furnish the repair parts. The city did not have the clamp on hand. A couple customers had very little water pressure. Leak was repaired and rest of day was a mess. Brett with BG was contacted by the contractor with a "complaint" about the city public works.

### **FIRE DEPARTMENT – FIRE CHIEF DAN NASALROAD – NONE**

### **CITY CLERK – JODI WADE -**

- g) Continue to work on year-end items.
- h) Thanked Council, Police Department and Public Works for offering help in the City Hall last week.

## **COUNCIL COMMITTEE REPORTS:**

**WATER & GAS –NONE**

**STREET – NONE**

**SEWER – NONE**

**PARK -NONE**

**CEMETERY –NONE**

**PUBLIC SAFETY –NONE**

**COMMUNITY BUILDING-NONE**

**EMPLOYEE RELATIONS & TRAINING - NONE**

## **SPECIAL COMMITTEE REPORTS:**

**EMERGENCY MANAGEMENT – NONE**

**SWANFEST COMMITTEE -NONE**

**PLANNING COMMISSION – NONE**

## **UNFINISHED BUSINESS:**

### **LINN VALLEY LAKES WATER CONNECTION/RATES**

City Clerk Wade submitted the Proposal estimate to BG Consultants, Paul Owings. It will be a few months before we hear anything in response.

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## **NEW BUSINESS:**

### **KMEA PRE-PAY PROJECT AGREEMENT – CONFERENCE CALL WITH DIXIE RIDEL OF KMG**

Dixie reviewed the Pre-pay Project being offered by Kansas Municipal Gas Agency (KMG) and the Minnesota Municipal Gas Agency (MMGA). Dixie highlighted the following points for the Council to review:

- 30-year term
- Volumes are defined by each city participant in their contract
- Min. discount will be established in the term of the agreement
- Initial discount is established for the first 5-6 years, after initial period, bonds will be remarketed to establish new Gas Price Discount. If below agreed minimum in the contract agreement we may elect to terminate the agreement.
- If a city decides to turn back a portion or all of their committed volume, KMG has an option to offer the turn back volume to KMG participants of the program or MMGA uses reasonable efforts to remarket the turn back volume at a fee of \$0.05MMBtu to remarket.
- KMG suggests committing 1/3 of our monthly volume to the Pre-pay in lieu of the 1/3 that KMG prices at the First of the Month (FOM) index.
- The contract agreement with MMGA stays with the city. If the city stops working with KMG it does not end the contract with MMGA.
- \$0.05/MMbtu charge for administration fees.

Commitments from the cities who want to participate will be needed by mid-February 2019. No action taken.

### **2019 MUNICIPAL COURT CLERKS CONFERENCE, FRIDAY, MARCH 8 AT WICHITA MARRIOTT**

#### **❖ Motion**

**Council Member Mitzner motioned to send Court Clerk Connie Gore to the 2019 Municipal Court Conference on March 8 at the Wichita Marriott with the city absorbing expenses. Motion seconded by Council Member Curtis, voted on, passed 3-0.**

### **SECURITY CAMERAS FOR LA CYGNE CITY HALL AND POLICE STATION**

Police Chief West reviewed the necessity and location of cameras in the La Cygne City Hall and Police Office. A total of (8) cameras located as follows; (1) at front door, (1) at back door, (1) in Officer West office, (1) Chief West Office, (2) in Council Meeting/Court area, (2) at front desk/clerk area.

### **PEOPLES TELECOM QUOTE FOR SECURITY CAMERAS IN THE AMOUNT OF \$2474.58**

The quote from Peoples is for the installation, configuration, testing and user instruction of the cameras.

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## **NEW BUSINESS CONT:**

### **ELECTRICAL BY WATERMAN QUOTE FOR INSTALLATION OF (9) OUTLETS FOR CAMERA LOCATIONS IN THE AMOUNT OF \$1400.00**

❖ **Motion**

**Council Member Mitzner motioned to approve the quotes supplied by Peoples Telecommunications and Electrical by Waterman for the installation of security cameras not to exceed \$3900.00. Motion seconded by Council Member Shields, voted on, passed 2-0. Abstain: Council Member Curtis- conflict of interest.**

### **SCHOOL ZONE SIGNAL ELECTRICAL REPAIR**

Police Chief (PC) West reviewed the quote received from Traffic Signal Controls Inc in the amount of \$667.00 to update (1) Signal to LED. PC West also reviewed the quote from Electrical by Waterman in the amount of \$500.00 to wire the new panels to the lights and to ground the units. The total cost to rebuild both lights would be \$1834.00. Council Member Mitzner asked who is ultimately responsible for school zone lights and PC West stated it is the city's responsibility. PC West informed the council that the cost would come out of the Police Department Capital Outlay.

❖ **Motion**

**Council Member Mitzner motioned to accept the bid from Traffic Signal Controls for the hardware and the quote from Electrical by Waterman for electric work for a total of \$1834.00. Motion seconded by Council Member Curtis, voted on, passed 3-0.**

### **94" SKID STEER HYDRAULIC DOZER BLADE/SNOW PLOW FROM TITAN IN THE AMOUNT OF \$1664.95.**

PWS Johnson explained to the council the benefits of having this blade for the skid steer to push snow. It would also come in handy for working on ditches. Council Member Mitzner asked if the price included shipping. PWS Johnson will have to double check on the shipping.

❖ **Motion**

**Council Member Mitzner motioned to give authority to Public works superintendent Johnson to purchase a 94" skid steer blade for up to \$2000 to include shipping. Motion seconded by Council Member Shields, voted on, passed 3-0.**

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## **WATER AND WASTEWATER MATH, FEBRUARY 5 IN PITTSBURG, KS**

PWS Johnson would like for Codee Blanchett and Jerry McCarty to attend this class if weather and projects allow. No charge for the one-day class.

### **❖ Motion**

**Council Member Mitzner motioned to send up to (2) public works employees to the Water and Wastewater Math class on February 5 in Pittsburg, KS and for city to absorb any costs. Motion seconded by Council Member Shields, voted on, passed 3-0.**

## **NEW BUSINESS CONT:**

### **WAGE ADJUSTMENT OR COLA FOR 2019**

City Clerk (CC) Wade reviewed wage adjustments/COLA from 2000-2018. CC Wade recommended a 2.0 - 2.5% COLA adjustment for 2019 along with a recommendation to the Council and department heads to work on establishing a wage rate scale for city employees. The necessity for an established cap on wages is essential for maintaining the budget. The following rates were reviewed based on 2018 salary information for (9) full time (1) part time employees and not including Fire Dept:

- 2% COLA is an increase of \$7404.04
- 2.5% COLA is an increase of \$9255.06
- Per 2019 Salary budget numbers a 2% COLA increase leaves a cushion of \$81,512.74
- Per 2019 Salary budget numbers a 2.5% COLA increase leaves a cushion of \$79,661.72
- KPERS would increase \$768.37 with a 2.0% and \$960.46 with a 2.5% COLA increase.
- Soc Security would increase \$753.40 with a 2.0% and \$941.77 with a 2.5% COLA Increase.
- Current 2019 KPERS budget is \$42,000 and 2019 Soc Sec is \$40,000.

### **❖ Motion**

**Council Member Mitzner motioned move forward with a 2.5% COLA increase for 9 full time and 1 part time employee to go in to effect on the next payroll. Motion seconded by Council Member Curtis, voted on, passed 3-0.**

## **EXECUTIVE SESSION:**

### **❖ Motion**

**Council Member Curtis moved to go into executive session for 5 minutes for Non-elected personnel matter exception to discuss employee applications. Motion seconded by Council Member Mitzner, voted on, passed 3-0. Time 8:20pm**

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Others in attendance included, but not limited to: City Clerk Jodi Wade; City Attorney John Sutherland; Public Works Superintendent Johnson.

**Open Session Resumed at 8:25p.m.**

**OTHER BUSINESS:**

❖ **Motion**

**Council Member Curtis motioned to hire Jeff Chaplin as Public Works operator at a rate of \$12.50/hr to start as soon as he is available. Motion seconded by Council Member Shields, voted on, passed 3-0.**

**NOTES AND COMMUNICATIONS TO COUNCIL:**

**ADJOURNMENT:**

❖ **Motion**

**Council Member Curtis moved to adjourn the meeting. Motion seconded by Council Member Mitzner, voted on, passed 3-0. Time 8:26pm.**

I, \_\_\_\_\_ La Cygne City Clerk, do hereby declare  
(Jodi Wade) the above to be true and correct, to the  
best of my knowledge, and do hereby  
subscribe my name this 16<sup>th</sup> of Jan 2019.

**REGULAR MEETING:**

The La Cygne City Council met on Wednesday, February 20, 2019 at La Cygne City Hall. Council Members present were: Danny Curtis; Esther Shields; Jerome Mitzner and Keith Stoker.

Others in attendance included, but not limited to: City Attorney John Sutherland; City Clerk Jodi Wade; Public Works Superintendent Jim Johnson; Police Chief Tate West; Fire Chief Dan Nasalroad; Linn County News Tony Furse; Jerome Moore, and Paul Kana.

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

## **CALL REGULAR MEETING TO ORDER (6:00 P.M.)**

Pledge of Allegiance – Jerome Moore

## **MAYOR'S COMMENTS:**

Mayor Sullivan thanked the Public Works department for getting the streets cleared neatly and in a fast manner.

## **RECOMMENDATION OF COUNCIL MEMBER**

Mayor Sullivan recommended Paul Kana for the vacant seat on the City Council. Review of the recommended candidate and other potential candidates was held by the council.

### **❖ Motion**

**Council Member Mitzner motioned to approve the Mayor's appointment of Paul Kana for the vacant council position. Motion was not seconded. Motion died.**

## **CONSENT AGENDA:**

### **❖ Motion to approve Consent Agenda:**

**Council Member Mitzner motioned to accept the Consent Agenda with the addition of the 2019 Mobile Home License for Thompson Trailer Court and which consisted of:**

Minutes of January 16, 2019 City Council Meeting;  
December 2018 Budget Report;  
December 2018 Treasurer's Report;  
4<sup>th</sup> Quarter, 2018 Financial Statement;  
2018 Annual Financial Statement  
Check Register: January 17 – Feb 1, 2019  
Check Register: February 2 - 12, 2019  
December 19, 2018 Meeting Minutes Amended  
January 2019 Budget Report  
January 2019 Treasurer Report  
Check Register; February 13 – 20, 2019  
2019 Mobile Home License – Brian and Ramona Slocum  
2019 Mobile Home License – Richard &/or Rebecca Marsh

**Motion seconded by Council Member Shields, voted on, passed 4-0.**

## **DISCUSSION FROM THE FLOOR:**

Jerome Moore suggested the Council review and discuss the vacant seat and get it filled so that the council can take care of the business of the city.



# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

❖ **Motion**

**Council Member Shields motioned to appoint Jerome Moore for the vacant council position. Motion seconded by Council Member Curtis, voted on, passed 4-0.**

**SWEARING IN OF NEW COUNCIL MEMBER**

City Clerk Wade presented the Oath of office to Jerome Moore.

**SPECIAL PROJECTS:**

**~~Report by Brett Waggoner with BG Consultants~~**

**Report from Public Works – Jim Johnson**

**WATER DISTRIBUTION PROJECT PHASE II UPDATE**

City Clerk Wade reviewed BG Consultants Project Update regarding the meters. Preston with Core & Main and Brett Waggoner with BG Consultants participated in a meter read on February 19, 2019 along with our Public works operators. The water in the pits is causing the antennae to fall off the rod and the antennae is not able to be read while submerged. Preston and Brett will attach about a dozen antennae to a composite lid to see if it does fix the situation.

**WATER PROJECT PHASE II, ORR-WYATT STREETSCAPES PAY REQUEST #27**

City Clerk Wade reviewed the line items on pay application #27 that have been completed (fire hydrants, asphalt, and RWD 1 connection) and the amount of retainage being held. Council Member Mitzner expressed concern about releasing any of the retainage until we truly get the AMR meter system working.

❖ **Motion**

**Council Member Mitzner motioned to approve a payment of \$46,013.62 on Pay application #27 for Orr-Wyatt Streetscapes. Motion seconded by Council Member Curtis, voted on, passed 5-0.**

**WATER TOWER**

City Clerk Wade reviewed the completion of the demolition of the tower but the final grading would not be completed until the weather allows. Council Member Mitzner inquired if BG Consultant Waggoner spoke to the owner of Frankie's Liquor. City Clerk Wade reported that BG Consultant Waggoner did speak to the owner and everything has been resolved.

**REMOVAL OF OLD TOWER MAGUIRE IRON PAY REQUEST #11-FINAL FOR \$33,000.**

City Clerk Wade reviewed pay request #11 and indicated the contractor would be OK if the Council chose to withhold some retainage for the final grading.

❖ **Motion**

**Council Member Mitzner motioned to pay Maguire Iron \$31,500.00 and to retain \$1500 on Pay application #11 for the final grading work on the tower. Motion seconded by Council Member Curtis, voted on, passed 5-0.**

**SPECIAL PROJECTS CONT:**

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

## **WATER TREATMENT PLANT**

Contract documents have been signed by USDA and were delivered to the City today by Eric Heathcoat. Pre construction meeting was held today with Skelly Electric (contractor), Eric Heathcoat (BG Consultant), City Clerk Wade and Water Plant Operator (WTPO) Jerry McCarty. Project schedule has been delayed by 2 months due to government shut-down. Contractor will submit a change order for 2 months extension to the schedule. Expected start date would be the first half of April 2019. WTPO McCarty will need to get a list of possible additions to the project to Eric Heathcoat in the next 2 weeks to get pricing for change orders if approved.

## **SEWER PROJECT**

City clerk Wade reviewed the completed line items of the pay requests and a possible retainage amount. Council Member Mitzner inquired about the cost for repairing the ruts at the Fire Station.

## **ACE PIPE CLEANING PAYMENT REQUEST #5**

### **❖ Motion**

**Council Member Mitzner motioned to pay Ace Pipe Cleaning Pay Request #5 in the amount of \$718.19. Motion seconded by Council Member Stoker, voted on, passed 5-0.**

## **ACE PIPE CLEANING PAYMENT REQUEST #4**

### **❖ Motion**

**Council Member Mitzner motioned to pay Ace Pipe Cleaning \$15,349.86 for Pay Request #4 and withholding 2.5% retainage in the amount of \$1926.50. Motion seconded by Council Member Curtis, voted on, passed 5-0.**

## **REPORTS OF CITY OFFICERS:**

### **CITY ATTORNEY – JOHN SUTHERLAND - NONE**

### **POLICE DEPARTMENT – CHIEF TATE WEST**

- 11 Citations
- 222 dogs tagged for 2018/31 left to be tagged
- Vin Insp – 1
- Trailer at 102 S. 7<sup>th</sup> St (house fire) owned by Leon Heide is to be removed by Mr. Walker. Weather has delayed this from happening. Chief West has given an extension until March 15,2019.
- School Zone light manufacturer was waiting on back ordered parts. Parts are in and they are building the panels.
- Electrician for the security cameras in City Hall expects to get work completed by mid-March 2019.
- Owners of single-wide trailer at 310 Elm street intend to do the clean up work themselves. Weather has delayed the project. Chief West gave an extension till the end of March 2019.

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

## **PUBLIC WORKS DEPARTMENT – PUBLIC WORKS SUPERINTENDENT JIM JOHNSON**

- 8 days to read Meters – 90% problems with the System, 10% with City Hall/Public Works.
- Flushed the distribution lines – some spots had milky water
- Winter ice on roads – Salt/Sand was treated
- Lift Station at the Park – Call Out on Saturday (1/27/19) from Tate, could not find the problem – called vendor about pumps.
- Uni-loader snow blade has been received – at the shop
- Sand/Salt for possibly (2) more weather treatments, to order more is around \$1500 - \$1700. Would like to wait out??
- Foam insulation for the meter pits at the shop. Did not have the contractors install due to problems with the meters.
- Replaced the front tire of the backhoe that got damaged during the process of cleaning up the snow on the streets.
- The new blade that was purchased for the Uni-loader only lasted through (2) storms. Jerry McCarty has contacted the manufacturer regarding the warranty.

## **FIRE DEPARTMENT – FIRE CHIEF DAN NASALROAD**

Fire Chief Nasalroad thanked PWS Johnson for keeping the road and drive clear at the Fire Station. Discussion was held on the tracer wire pigtails at some of the fire hydrants. PWS Johnson indicated that the pigtails could be snipped and confirmed that tracer wire was placed on all new the mains.

## **CITY CLERK – JODI WADE -**

- 2019 Election Packets are available at the City Hall – Openings include (1) Mayor currently held by Robert Sullivan and (2) Council seats currently held by Jerome Mitzner and Danny Curtis.
- Year-end Reporting is completed and have contacted the Auditor to schedule our 2018 Audit.
- City clerk Wade reviewed the 2018 Budget emphasizing the importance for the Council to prepare for options if the revenues continue to lower. The 2018 Audit is scheduled for the 4<sup>th</sup> week of April 2019.

## **COUNCIL COMMITTEE REPORTS:**

Mayor Sullivan assigned Council Member Moore to the Water & Gas committee, Sewer Committee and the Employee relations & training committee.

### **WATER & GAS –**

PWS Johnson shared his concern for the public works operators lighting furnaces. The council needs to either consider having public works operators get certified for lighting furnaces or approve a policy that we are not going to provide this service. The Council suggested the clerks keep a list at the City Hall of contacts for Plumbing or HVAC companies who are certified to perform that task.

### **STREET – NONE**

### **SEWER – NONE**

### **PARK –NONE**

### **CEMETERY –NONE**

### **PUBLIC SAFETY –NONE**

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

## **COMMUNITY BUILDING-NONE**

Mayor Sullivan asked the city clerk to get estimates for the panic bar hardware for the doors at the community building and at the City Hall.

## **EMPLOYEE RELATIONS & TRAINING - NONE**

## **SPECIAL COMMITTEE REPORTS:**

### **EMERGENCY MANAGEMENT –**

Fire Chief Nasalroad asked the council to consider installing a generator at the Community building similar to the one at the City hall.

### **SWANFEST COMMITTEE -NONE**

### **PLANNING COMMISSION – NONE**

## **UNFINISHED BUSINESS:**

### **KMEA PRE-PAY PROJECT AGREEMENT UPDATE**

City Clerk Wade reviewed the following items that Dixie Reidel had explained at the last meeting.

- 30-year term
- Volumes are defined by each city participant in their contract
- Min. discount will be established in the term of the agreement
- Initial discount is established for the first 5-6 years, after initial period, bonds will be remarketed to establish new Gas Price Discount. If below agreed minimum in the contract agreement we may elect to terminate the agreement.
- If a city decides to turn back a portion or all of their committed volume, KMGA has an option to offer the turn back volume to KMGA participants of the program or MMGA uses reasonable efforts to remarket the turn back volume at a fee of \$0.05MMBtu to remarket.
- KMGA suggests committing 1/3 of our monthly volume to the Pre-pay in lieu of the 1/3 that KMGA prices at the First of the Month (FOM) index.
- The contract agreement with MMGA stays with the city. If the city stops working with KMGA it does not end the contract with MMGA.
- \$0.05/MMbtu charge for administration fees.

Commitments from the cities who want to participate will be needed by March 15. No action taken.

## **NEW BUSINESS:**

### **COMMUNITY BUILDING FEE WAIVED FOR MINE CREEK AMATEUR RADIO**

#### **❖ Motion**

**Council Member Shields motioned waive the fee for the Mine Creek Amateur Radio club to use the community building. Motion seconded by Council Member Stoker, voted on, passed 5-0.**

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

## **2019 KANSAS RURAL WATER ANNUAL CONFERENCE AND EXHIBITION, MARCH 26-28, WICHITA, KS**

### **❖ Motion**

**Council Member Mitzner motioned to send up to 3 people to the 2019 KRWA Conference in Wichita, KS with the city to pick up necessary expenses for registration, lodging and travel. Motion seconded by Council Member Curtis, voted on, passed 5-0.**

## **2019 ANNUAL MEETING OF MEMBERSHIP KANSAS RURAL WATER ASSOCIATION**

### **❖ Motion**

**Council Member Mitzner motioned to assign Jerry McCarty as the primary voting delegate and Codee Blanchett as the alternate voting delegate. Motion seconded by Council Member Stoker, voted on, passed 5-0.**

## **CCMFOA SPRING CONFERENCE, MARCH 13-15, MANHATTAN, KS**

Mayor Sullivan asked if City Clerk Wade received a scholarship. City Clerk Wade indicated she did not get picked for a scholarship.

### **❖ Motion**

**Council Member Mitzner motioned to send City Clerk Jodi Wade to the CCMFOA Spring Conference, March 13-15 in Manhattan, KS with the city to pick up related cost. Motion seconded by Council Member Shields, voted on, passed 5-0.**

## **BUILDING PERMIT FEE WAIVED FOR NEW MAINTENANCE SHED IN THE LA CYGNE COMMUNITY PARK**

### **❖ Motion**

**Council Member Moore motioned to waive the building permit fee for the construction of the new maintenance shed in the community park. Motion seconded by Council Member Stoker, voted on, passed 5-0.**

## **TRASH COMPACTOR: POSSIBLE 3<sup>RD</sup> PART TIME EMPLOYEE FOR SUBSTITUTE**

Discussion was held by the Council regarding the few times an occurrence has happened in which both part-time employees were not available and the cost involved of establishing an employee. No action was taken. Mayor Sullivan asked the City clerk to review the policy on closing the compactor if employees were not available to work on a scheduled open day.

## **BASEMENT LOCATED AT THE SE CORNER OF KS HWY 152 AND INDUSTRIAL ROAD**

PWS Johnson reviewed the past meeting minutes from November 2018 and December 2018 to indicate that it was the responsibility of the owner of the property to cap the old existing sewer line. The council concurred that the exposed open sewer line is a

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

compliance issue but not a city problem. Police Chief West will contact the Hospital board to provide information to temporarily plug the exposed sewer line.

## **RESOLUTION NO. 404**

City Clerk Wade reviewed the changes to the Solid Waste fees per the new contract that was signed with Waste Management. Discussion was held regarding the fee table included in the resolution. City Attorney Sutherland explained that the council approved the process for fee changes by resolution instead of having to do the process of an Ordinance each time.

### **❖ Motion**

**Council Member Curtis motioned to accept Resolution 404. Motion seconded by Council Member Stoker, voted on, passed 4-1, Nay vote: Council Member Shields.**

## **EXECUTIVE SESSION:**

None

## **OTHER BUSINESS:**

Mayor Sullivan opened a discussion for running an ad for a Deputy City Clerk. He stated there is money in the budget for a full-time employee. Council members expressed concern if there was enough work to occupy (3) full-time employees. The Council suggested to start with a part-time office assistant and to see if in time more hours are required for that employee. The Council indicated to start at 20 hours per week, no benefits.

## **NOTES AND COMMUNICATIONS TO COUNCIL:**

- a] Chamber of Commerce Membership Renewal and Meeting minutes.
- b] SEK-CAP Survey for Assessment.
- c] MTI (Municipal Training Institute) 2019 Classes.
- d] 1 Acute MRDL Violation – Jan 2019 Chlorine Dioxide.
- e] Mine Creek Amateur Radio Club thank you letter.

## **ADJOURNMENT:**

### **❖ Motion**

**Council Member Curtis moved to adjourn the meeting. Motion seconded by Council Member Stoker, voted on, passed 5-0. Time 8:04pm.**

I, \_\_\_\_\_ La Cygne City Clerk, do hereby declare  
(Jodi Wade) the above to be true and correct, to the

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

best of  
subscribe my name  
2019.

my knowledge, and do hereby  
this 20<sup>th</sup> of February

## **REGULAR MEETING:**

The La Cygne City Council met on Wednesday, March 6, 2019 at La Cygne City Hall. Council Members present were: Danny Curtis; Esther Shields; Jerome Mitzner and Keith Stoker.

Others in attendance included, but not limited to: City Attorney John Sutherland; City Clerk Jodi Wade; Public Works Superintendent Jim Johnson; Police Chief Tate West; Fire Chief Dan Nasalroad; Linn County News Tony Furse; BG Consultant Brett Waggoner; Jerome Moore, and Kurtis West.

## **CALL REGULAR MEETING TO ORDER (6:00 P.M.)**

Pledge of Allegiance – Jodi Wade

## **MAYOR'S COMMENTS:**

### **COUNCIL MEMBER VACANCY APPOINTMENT CORRECTION**

Mayor Sullivan announced to the Council members that the process for the appointment of Jerome Moore to the vacant council seat was done improperly per K.S.A. statute, Charter Ordinance No 12 and the Codes of the City of La Cygne. City Attorney John Sutherland reviewed a letter received from the League of Municipalities explaining K.S.A 15-201 and Charter Ordinance No. 12 which exempts the City of La Cygne from portions of the statues relating to filling a vacant council seat. Per the City of La Cygne Codes Book, the City did not exempt from the portion which indicates the Mayor will appoint a new council member subject to the consent of the council. City Attorney Sutherland informed the Council the motion made by Council Member Shields was not valid to appoint Jerome Moore to the vacant set. City Attorney Sutherland also stated the motion to waive the fee for the Building Permit for the new maintenance shed made by Jerome Moore at the February 20, 2019 meeting would not be valid. Mayor Sullivan informed the Council he would like to let this issue have some time to settle and plans to announce an appointment by the 1<sup>st</sup> meeting in April 2019.

### **COUNCIL MEETING TIME CHANGE**

Mayor Sullivan reminded the Council and community that daylight savings time will occur this Sunday, March 10. Council meetings will now be held at 7:00pm.

## **CONSENT AGENDA:**

### **❖ Motion to approve Consent Agenda:**

**Council Member Mitzner motioned to accept the Consent Agenda as presented:**

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

Minutes of February 20, 2019 City Council Meeting;

Check Register: February 21 – March 6, 2019

**Motion seconded by Council Member Stoker, voted on, passed 4-0.**

## **DISCUSSION FROM THE FLOOR:**

None

## **SPECIAL PROJECTS:**

**Report by Brett Waggoner with BG Consultants**

**Report from Public Works – Jim Johnson**

### **WATER DISTRIBUTION PROJECT PHASE II UPDATE**

Brett Waggoner, BG Consultant reviewed the substantial completion list which has been completed with the exception of the fire hydrants located at the Dollar General store and at the Swimming Pool needing to be clocked (turned). Also, the seeding will take place in the spring/summer when weather permits and the season is proper for seeding.

The issue with the meter antennae and lids was revisited by Brett Waggoner. On February 19<sup>th</sup>, Brett, Preston (Core & Main) representative for the supplier and Public works operator Jerry McCarty went out together to do the meter read. At that time, it was determined at least 100 meters had issues with being auto-read. The common factor is the water filled pits. The manufacturer has only experienced one other city in which an issue with several pits being filled with water was preventing the system from operating correctly. Preston reviewed some options with Brett Waggoner in regards to replacing some of the lids or attaching the antennae in some way to the lid. Mayor Sullivan asked Brett if there would be any additional cost to the city. Brett responded that the matter was still in discussion between the Engineer and the Manufacturer. Brett indicated the system was installed properly but the environmental conditions are preventing it from working and a solution has to be determined that will ultimately solve the issue and allow the automated system to function properly. He stated that there could be some cost possibly to the city. Council Member Mitzner stated the importance to get this fixed correctly in order for the system to operate properly for years to come, we don't want to just put a temporary band-aid on it even if it means more money.

### **WATER PROJECT PHASE II, ORR-WYATT STREETSCAPES PAY REQUEST #27**

Brett Waggoner, BG Consultant reviewed the outstanding retainage amount due to Orr-Wyatt Streetscapes. Brett presented his recommendation for the city to hold 200% (\$31,960.00) of the amt for the AMR system (\$15, 980 scheduled value). Council member Mitzner and Curtis expressed concern for a company to walk-away from completing the project. Brett Waggoner explained the importance of being able to justify with reason the amount not being paid out to the Contractor.

### **WATER TOWER**

Brett mentioned the following items in which he has informed Maguire Iron about that need to be repaired; Splash block has settled, Screen on the flapper overflow



# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

and the sampling valve broke. Brett delivered (2) copies of the Operational and Maintenance manuals for the new tower. Drawings will be available soon.

## **WATER TREATMENT PLANT**

Scheduled to start get mobilized in a couple of weeks.

## **SEWER PROJECT**

Preliminary evaluation is about 69% complete. Brett Waggoner, Brian Kingsley and Sam Johnson will be at the March 20<sup>th</sup> meeting to present the evaluation and updated estimates.

## **KDOT CLLIP PROJECT**

Survey is completed and a design concept will be presented in late March early April. Mayor Sullivan asked if an estimate could be determined of how much of the lot on the SE corner would be needed for the turning lane.

## **SPECIAL PROJECTS CONT:**

### **LINN VALLEY LAKES WATER PROJECT**

Brett Waggoner spoke to Paul Owings about the Linn Valley Lakes water proposal. Linn Valley is looking at funding possibilities. All proposals presented are still in consideration for the project.

### **RETAINAGE PAYMENT TO ORR-WYATT STREETSCAPES**

Council Member Mitzner presented some figures to the Council for consideration regarding the retainage on Water Project Phase 2. Council Member Mitzner suggested a payment of \$100,000 to Orr-Wyatt and the city hold \$53,960.53 in retainage for the AMR system completion.

#### **❖ Motion**

**Council Member Mitzner motioned to keep \$53,960.53 in retainage and pay an even \$100,000 payment on retainage to Orr Wyatt Streetscapes. Motion seconded by Council Member Shields, voted on, passed 4-0.**

## **REPORTS OF CITY OFFICERS:**

### **CITY ATTORNEY – JOHN SUTHERLAND - NONE**

### **POLICE DEPARTMENT – CHIEF TATE WEST**

- 240 dogs tagged for 2018/12 left to be tagged
- 21 out of 252 have been tagged for 2019
- Take back drugs day scheduled for April 27, 2019 10am – 2pm
- Insurance adjuster will be here next week or so to check on the house with the hole in the roof on 8<sup>th</sup> street.
- Tornado sirens did not operate turning the test cycle on Wednesday. Repair contractor has been contacted.
- Mayor Sullivan asked Chief West to follow up on the status of the water well that U.S. Minerals had inquired about last Fall.

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

## **PUBLIC WORKS DEPARTMENT – PUBLIC WORKS SUPERINTENDENT JIM JOHNSON**

- Sewer line in alley between 4<sup>th</sup> & 5<sup>th</sup> street stopped up due to large root ball. This comes up about every 2-3 years on this line. Public works along with a local contractor are working on opening up the line.
- Lights on the basketball court at Bittaker park are still having issues. Middle light works OK but the other two are out. Switch is damaged. Public works has (1) more replacement light remaining.
- PWS Johnson asked for Council approval to send Codee Blanchett to NACE International Cathodic Protection Rectifier Training on April 16, 2019 in Great Bend, KS. One day training for \$99 plus one-night hotel room for \$68.

### **❖ Motion**

**Council Member Mitzner motioned send Codee Blanchett to the Cathodic Protection Rectifier Training on April 16, 2019 in Great Bend, KS and pay for expenses for travel and hotel. Motion seconded by Council Member Curtis, voted on, passed 4-0.**

## **REPORTS OF CITY OFFICERS CONT:**

### **PUBLIC WORKS DEPARTMENT – PUBLIC WORKS SUPERINTENDENT JIM JOHNSON**

- PWS Johnson inquired about ads for the Cemetery Caretaker position and if the budget would allow for 1 or 2 Summer part-time Public Works employees. The Council asked the Clerk to put an ad in the newspaper for the Cemetery Caretaker and to review the budget for part-time employees.

### **FIRE DEPARTMENT – FIRE CHIEF DAN NASALROAD - NONE CITY CLERK (CC) – JODI WADE -**

- Informed the Council that 4 applications have been received for the part-time Office Assistant. The ad is running in the paper this week. Council will review applications at the March 20, 2019 meeting.
- Audit scheduled for April 22 – 26.
- City Clerk Wade provided feedback from the Economic Development meeting. Representatives from La Cygne, Pleasanton and Mound City were present. Emphasis was on housing, finding a "brand" for our County/Community, grants/funding, and more inter-government consistency between our (3) communities.
- KMIT Audit went well. We received our Gold rating discount again. CC Wade thanked all employees for keeping their areas in order and following safety procedures.
- KCC Anti-drug and Alcohol Plan Audit has been going smoothly. Had to update the binder with the newest version of the plan.
- Automatic bank forms – CC Wade explained to the Council that the increase in rental properties is creating the necessity for updating our system for utilities. City Treasurer Gore is working on updated forms and information to share with the Water and Sewer Committee to review to make any necessary adjustment to policy.

## **COUNCIL COMMITTEE REPORTS:**

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

## **WATER & GAS –**

City Clerk Wade will find a date for the Water Committee to meet to discuss deposits.

## **STREET – NONE**

## **SEWER – NONE**

## **PARK -NONE**

## **CEMETERY –**

Council Member Shields has some items to review at the next workshop regarding policy for the cemetery

## **PUBLIC SAFETY –NONE**

## **COMMUNITY BUILDING-NONE**

## **EMPLOYEE RELATIONS & TRAINING - NONE**

## **SPECIAL COMMITTEE REPORTS:**

### **EMERGENCY MANAGEMENT –**

### **SWANFEST COMMITTEE -NONE**

## **SPECIAL COMMITTEE REPORTS CONT:**

### **150<sup>TH</sup> SESQUICENTENNIAL COMMITTEE –**

CC Wade has talked to the City Police Dept and to Public Works Superintendent regarding the activities scheduled for the weekend. CC Wade will find out from the committee what type of assistance is needed from the city departments.

## **UNFINISHED BUSINESS:**

### **KMEA PRE-PAY PROJECT AGREEMENT UPDATE**

An email received from KMEA indicated that the schedule for the project has been delayed until later this summer (June-August timeframe). Market conditions in the 4<sup>th</sup> Qtr 2018 and 1<sup>st</sup> Qtr 2019 were not favorable for pre-pay programs.

## **NEW BUSINESS:**

### **ANNUAL DOG DAYS APRIL 6<sup>TH</sup> FROM 11AM – 1PM**

PWS Johnson was Ok with the event being held again at the Street barn.

### **PANHANDLE EASTERN PIPELINE TRANSPORTATION AGREEMENT NO 11480**

CC Wade explained to the Council it was time to renew the agreement with Panhandle which expires in March 2020. We need to indicate on the agreement our term length. In the past the City has done a 10-year agreement.

### **❖ Motion**

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

**Council Member Mitzner motioned to enter in to Agreement No 11480 with Panhandle Eastern Pipeline for a term length of 10 years. Motion seconded by Council Member Stoker, voted on, passed 4-0.**

## **RESOLUTION NO. 404**

City Clerk Wade explained that Resolution 404 had incorrect amounts for the trash service fee. The Council would need to rescind Resolution 404 per City Attorney John Sutherland.

### **❖ Motion**

**Council Member Curtis motioned to rescind Resolution 404. Motion seconded by Council Member Stoker, voted on, passed 4-0.**

## **RESOLUTION NO. 405**

City Clerk Wade reviewed the fees for trash service in Resolution 405 which included the \$1.00 administration fee in the new contract prices.

### **❖ Motion**

**Council Member Curtis motioned to approve Resolution 405 as presented. Motion seconded by Council Member Stoker, voted on, passed 4-0.**

## **EXECUTIVE SESSION:**

None

## **OTHER BUSINESS:**

### **❖ Motion**

**Council Member Mitzner motioned to waive the fee for the building permit for the new maintenance shed in the La Cygne Community Park. Motion seconded by Council Member Shield, voted on, passed 4-0.**

## **NOTES AND COMMUNICATIONS TO COUNCIL:**

CC Wade reviewed the Public Notices on the water to make sure the Council understood the process and results of the samples and why the notices were being sent out to the public.

- a] 2018 Consumer Confidence Report.
- b] TTHM (Total Trihalomethanes) MCL exceedance violation 4<sup>th</sup> Qtr 2018
- c] Acute MRDL violation for Chlorine Dioxide Feb 2019.

## **ADJOURNMENT:**

### **❖ Motion**

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

**Council Member Curtis moved to adjourn the meeting. Motion seconded by Council Member Stoker, voted on, passed 4-0. Time 7:27pm.**

I, \_\_\_\_\_ La Cygne City Clerk, do hereby declare  
(Jodi Wade) the above to be true and correct, to the  
best of my knowledge, and do hereby  
subscribe my name on this 6<sup>th</sup> of March 2019.

## **REGULAR MEETING:**

The La Cygne City Council met on Wednesday, March 20, 2019 at La Cygne City Hall. Council Members present were: Danny Curtis; Esther Shields; Jerome Mitzner and Keith Stoker.

Others in attendance included, but not limited to: City Attorney John Sutherland; City Clerk Jodi Wade; Public Works Superintendent Jim Johnson; Police Chief Tate West; Fire Chief Dan Nasalroad; City Treasurer Connie Gore; Linn County News Tony Furse; BG Consultant Brett Waggoner; James Thies, and Kurtis West.

## **CALL REGULAR MEETING TO ORDER (7:00 P.M.)**

Pledge of Allegiance – Connie Gore

## **MAYOR'S COMMENTS:**

### **COUNCIL MEMBER VACANCY APPOINTMENT**

Mayor Sullivan introduced his appointee, James Thies, to the Council Members and asked for their consent to appoint him to the vacant seat. Council Member Curtis expressed the importance for communication between the Council Members and the Mayor on the candidates who submit their names for the vacancy.

#### **❖ Motion**

**Council Member Curtis motioned to appoint James Thies to the vacant seat on the Council. Motion seconded by Council Member Stoker, voted on, passed 3-1. Nay – Shields.**

James Thies accepted the Oath of Office and took his seat on the City Council.

## **CONSENT AGENDA:**

### **❖ Motion to approve Consent Agenda:**

**Council Member Mitzner motioned to accept the Consent Agenda as presented:  
Minutes of March 6, 2019 City Council Meeting**

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

February 2019 Treasurer's Report  
February 2019 Budget Report  
Check Register: March 6 - 15, 2019  
Check Register: March 16 - 20, 2019

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

## **DISCUSSION FROM THE FLOOR:**

None

## **SPECIAL PROJECTS:**

**Report by Brett Waggoner with BG Consultants  
Report from Public Works – Jim Johnson**

### **WATER DISTRIBUTION PROJECT PHASE II UPDATE**

Brett Waggoner, BG Consultant reviewed the situation regarding Ed Ballingers driveway. It appears the contractors had dug across the drive perhaps to locate a sewer line. The cut is sinking in and needs to be repacked/graveled. Public Works Superintendent Johnson will take care of the repairs tomorrow and submit labor and material cost on an invoice to Brett.

### **WATER PROJECT PHASE II, METER PIT LIDS FOR ANTENNAE**

Brett Waggoner, BG Consultant has not received pricing information from Orr-Wyatt Streetscapes for proposed lids for the meter pits. Three options have been presented to correct the problem with the antennae floating off the re-bar and not reading. First option is to drill a hole in the Antennae cap so it will float. Second option would be a composite lid with a hole for the antennae. Third option is a cast iron lid with a pre-drilled recessed hole. Orr-Wyatt is talking to the supplier about the possibility of a trade-in of the current lids or Orr-Wyatt may be able to use them on another job.

### **WATER TOWER**

City Clerk Wade asked the Council Members if they wanted to consider selling the lot to Beachner Grain. Beachner Grain would take the lot as-is. Brett Waggoner asked Maguire Iron if they would consider releasing the City from the portion of the contract requiring Maguire Iron to clean up the lot. Maguire Iron was OK with that option if approved by the City. Council held discussion on the lot and favored to maintain the agreement with Maguire Iron to complete the work on the old water tower lot.

### **WATER TREATMENT PLANT**

City Clerk Wade spoke to Eric Heathcoat (BG Consultant) today. She confirmed that the Water Salesman part that is not working is to be replaced in the Water Treatment Plant project. Eric spoke to Shelley Electric and they would put the Water Salesman as early in the schedule as able based on parts arrival.

### **SEWER PROJECT**

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

Preliminary evaluation has been completed by Brett Waggoner. Brett gave the evaluation to Sam Johnson (BG Consultant specialist in Sewer) to review the final recommendations prior to the presentation of the PER. Brett anticipates the presentation to occur at either the April 3 or April 17 meeting.

## **BRETT WAGGONER IS LEAVING BG CONSULTANTS**

Brett Waggoner announced that he has accepted a new position effective the end of March 2019. Brett thanked the Council Members and City Employees for the opportunity to work with them on the water projects. Brett assured the Council that BG Consultants is doing all they can to make this a smooth transition for all of their project participants.

## **REPORTS OF CITY OFFICERS:**

### **CITY ATTORNEY – JOHN SUTHERLAND - NONE**

#### **POLICE DEPARTMENT – CHIEF TATE WEST**

- 240 dogs tagged for 2018/12 left to be tagged
- 31 out of 252 have been tagged for 2019
- VIN Inspection: 3
- U.S. Mineral water well permit. Chief West called but hasn't received a response.
- Security cameras should be completed in the next couple of weeks.
- 310 Elm street owners asked to extend clean-up to the end of March. Extension was approved.

#### **PUBLIC WORKS DEPARTMENT – PUBLIC WORKS SUPERINTENDENT JIM JOHNSON**

- Limb hanging at the cemetery that needs to be removed. Marrs tree service gave a price of \$300 to remove the limb.
- Marsh Trailer Court – Public Works Superintendent (PWS) Johnson let Richard Marsh know the damaged tree is in the city's easement and the city will see what happens with the tree this Spring.
- Ed Ballinger (112 W Grand St) said his driveway had been cut through by the contractors attempting to locate a line. It was not backfilled properly and is sinking. Brett Waggoner with BG Consultants did review the situation with PWS Johnson. PWS Johnson and Brett agreed to have the city complete the repair and forward an invoice to Orr-Wyatt Streetscape.
- Sewer problem on the main line between 4<sup>th</sup> and 5<sup>th</sup> street north of Lincoln and south of Park Ave. PWS Johnson informed the Council of the line getting plugged by tree roots every couple of years. The line got plugged last week and a private contractor was only able to auger a small opening to allow flow in the pipe. Mr. Paul Ryan has given permission for the tree to be removed. PWS Johnson explained the importance to have the tree removed and line replaced in order to avoid future sewer back-ups. A sealed quote was submitted by a local contractor to replace the line. The contractor asked for the quote to not be opened if the work was going to be put out for bid. Discussion was held on the money available in the budget for the repair. CC

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

Wade explained to the Council funds that were in the Capital Improvement and Economic Development grant were to be used on the upfront costs for the sewer project. If the funds get used now, then the City would have to finance more to help cover those upfront costs. The Council decided to open the quote from the contractor. Discussion was held by Council Members.

❖ **Motion**

**Council Member Curtis motioned to accept the quote from Jim Thompson in the amount of \$16,400. Motion seconded by Council Member Stoker, voted on, passed 5-0.**

**FIRE DEPARTMENT – FIRE CHIEF DAN NASALROAD**

- Fire Chief Nasalroad asked PWS Johnson if he could start testing/flowing the new Fire Hydrants starting on the North side of town. PWS Johnson approved.

**REPORTS OF CITY OFFICERS CONT:**

- KS State Fire Assoc 131<sup>st</sup> Conf, Apr 25-27 in Salina, KS. Fire Chief Nasalroad would like to attend.

❖ **Motion**

**Council Member Shield motioned to let Dan Nasalroad go to school to learn some more. Motion seconded by Council Member Stoker, voted on, passed 3-0. Abstain-Council Member Mitzner and Council Member Curtis.**

**CITY CLERK (CC) – JODI WADE -**

- CC Wade thanked the Council for allowing her to attend the City Clerk Conference last week. CC Wade stated there were 37 new 1<sup>st</sup> year clerks at the conference. CC Wade said the conference was very informative.
- CC Wade reminded the Council that the Cereal Malt Beverage changes will take effect April 1, 2019. Advised the Council to review the fees associated with these licenses and permits.
- The new 1% county tax will be implemented April 1, 2019. Reminder to all businesses to update their systems.
- CC Wade reviewed the month of February budget indicating that costs for utilities were up for the city buildings and that overtime had been utilized in some of the Utility funds due to the snow removal on the streets.

**COUNCIL COMMITTEE REPORTS:**

**WATER & GAS –**



# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

City Clerk Wade will find a date for the Water Committee to meet to discuss deposits.

## **STREET –**

Council Member Curtis inquired about the condition of the south portion of Sycamore Street. Would like to ask the County if they would assist with resurfacing that road.

## **SEWER – NONE**

## **PARK -NONE**

## **CEMETERY –**

Mayor asked PWS Johnson when they last graveled the roads in the cemetery. PWS Johnson said it was a year ago.

## **PUBLIC SAFETY –NONE**

## **COMMUNITY BUILDING**

CC Wade is waiting on (1) more bid and will present at next meeting.

## **EMPLOYEE RELATIONS & TRAINING - NONE**

## **SPECIAL COMMITTEE REPORTS:**

### **EMERGENCY MANAGEMENT –NONE**

### **SWANFEST COMMITTEE -NONE**

### **PLANNING AND ZONING CONTAINERS**

- Connex container findings from the Planning and zoning committee
  - Conex containers are not vented and pose an explosion risk.
  - Cones containers are not vented and pose a risk of carbon monoxide poisoning
  - Conex containers are normally heavily sprayed with pesticides.
  - Conex containers require major engineering for stacking, joining or removing areas for windows. We do not have the ability to inspect.

## **SPECIAL COMMITTEE REPORTS CONT:**

### **PLANNING AND ZONING CONTAINERS CONTINUED:**

Discussion was held by the Council regarding the findings.

## **UNFINISHED BUSINESS:**

### **KMEA PRE-PAY PROJECT AGREEMENT-NONE**

### **102 S 7<sup>TH</sup> STREET –**

The burnt structure has been removed and Police Chief West approved the release of the Insurance bond money.

### **STORM SIREN REPAIRS -**

Blue Valley replaced batteries in both storm sirens. Reason for the sirens not working on March 6, 2019 is due to the programming in the new radios. All fire department radios will set the sirens off. Chief West will set up an old model radio in the City Hall for the Police Department for temporary use.

### **SCHOOL ZONE LIGHT REPAIRS -**

School Zone lights have been repaired. Chief West is looking in to new sign or lighting for the signs which are now shadowed by the brightness of the new LED lights.

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

## **NEW BUSINESS:**

### **CITY WIDE CLEAN UP -**

Council member reviewed the proposal from Waste Management in the amount of \$2800 for (2) trucks to pick up items on May 11, 2019 for City wide clean-up.

#### **❖ Motion**

**Council Member Mitzner motioned accept the proposal from Waste Management for (2) trucks for the amount of \$2800 for City wide clean-up day on May 11th. Motion seconded by Council Member Stoker, voted on, passed 5-0.**

### **CLOSE THE TRASH COMPACTOR FOR EASTER SUNDAY-**

#### **❖ Motion**

**Council Member Curtis motioned to close the Trash compactor on April 21<sup>st</sup> for Easter Sunday. Motion seconded by Council Member Sheild, voted on, passed 5-0.**

### **BLUE VALLEY PUBLIC SAFETY INC MAINTENANCE CONTRACT AGREEMENT FOR TORNADO SIRENS**

#### **❖ Motion**

**Council Member Mitzner motioned to approve the Blue Valley Public Safety Maintenance Agreement for the Tornado Siren in the amount of \$1442.40. Motion seconded by Council Member Stoker, voted on, passed 5-0.**

## **NEW BUSINESS CONT:**

### **ORDINANCE NO. ADDING ARTICLE 2, SECTION 2-3, PARAGRAPH 2-301, AND TO ARTICLE 6, SECTION 6-12, PARAGRAPH 6-1201, AND ADDING TO ARTICLE 24, SECTION 6, PARAGRAPH C-3, OF THE LA CYGNE ZONING REGULATIONS TO ADDRESS CONEX/SEALAND CONTAINERS**

Police Chief West informed the Council of the reasons presented by the Planning and Zoning Commission for not allowing these containers in a residential area. Chief West explained the lack of building codes and inspection capabilities to regulate the use of the containers. Council Member Stoker briefly explained his reasoning for not supporting this ordinance and preference that it be separated in to two ordinances; one regulating for storage use and one regulating use as homes. Council Member Stoker made the point of developing building codes or adopting building codes that would help define the specifics for the use of these containers. Further discussion was held by the Council.

#### **❖ Motion**

**Council Member Stoker motioned to accept the Ordinance as-is written. Motion seconded by Council Member Mitzner, voted on, tied 2-2, Council**

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

**Member Thies abstained due to conflict of interest having voted on the ordinance as a member of the Planning and Zoning Commission. Mayor voted to accept, passed 3-2.**

## **PRAIRIE VIEW HS AFTER PROM EVENT -**

### **❖ Motion**

**Council Member Shields motioned to donate \$150 dollars towards the Prairie View HS After Prom event. Motion seconded by Council Member Stoker, voted on, passed 5-0.**

## **DESIGNATION OF AGENT FOR KPERS -**

### **❖ Motion**

**Council Member Shields motioned to appoint City Clerk Jodi Wade as the Designated Agent for KPERS. Motion seconded by Council Member Curtis, voted on, passed 5-0.**

## **EXECUTIVE SESSION:**

### **❖ Motion**

**Council Member Stoker moved to go into executive session for 20 minutes following a 5-minute break for Non-elected personnel matter exception to discuss employee applications. Motion seconded by Council Member Mitzner, voted on, passed 5-0.  
Time 8:43pm**

Others in attendance included, but not limited to: City Clerk Jodi Wade; City Attorney John Sutherland; Public Works Superintendent Johnson.

## **Open Session Resumed at 9:09p.m.**

## **OTHER BUSINESS:**

### **❖ Motion**

**Council Member Mitzner motioned to accept the resignation of James Thies from the Planning and Zoning Commission effective March 20, 2019. Motion seconded by Council Member Stoker, voted on, passed 5-0.**

## **MAYOR APPOINTMENT OF NEW COUNCIL MEMBER TO COMMITTEES**

Mayor Sullivan appointed Council Member Thies to the following Council committees; Water & Gas, Sewer, and Employee Relations & Training.

**Record of the Proceedings of the Governing Body  
2019 MEETING MINUTES**

**NOTES AND COMMUNICATIONS TO COUNCIL:**

- KanCap Board Short Course, Apr 18, Chanute, KS 4:30pm – 8:00 pm
- KanCap Elected Officials training Apr 18, Chanute, KS 9:00am – 4:30 pm
- City of La Cygne Planning Commission Notice of Public Hearing, April 11, 7pm

**ADJOURNMENT:**

❖ **Motion**

**Council Member Curtis moved to adjourn the meeting. Motion seconded by Council Member Stoker, voted on, passed 5-0. Time 9:14pm.**

I, \_\_\_\_\_ La Cygne City Clerk, do hereby declare  
(Jodi Wade) the above to be true and correct, to the  
best of my knowledge, and do hereby  
subscribe my name on this 20<sup>th</sup> of March  
2019.

**REGULAR MEETING:**

The La Cygne City Council met on Wednesday, April 3, 2019 at La Cygne City Hall. Council Members present were: Danny Curtis; Esther Shields; and Keith Stoker. Absent: Jerome Mitzner

Others in attendance included, but not limited to: City Attorney John Sutherland; City Clerk Jodi Wade; Public Works Superintendent Jim Johnson; Police Chief Tate West; Linn County News Tony Furse; BG Consultant Paul Owings; Corporal Kurtis West; Janet Reynolds; Carol Stainbrook; and Judy Wier.

**CALL REGULAR MEETING TO ORDER (7:00 P.M.)**

Pledge of Allegiance – Tate West

**MAYOR'S COMMENTS:**

**PROCLAMATION FOR CHILD ABUSE PREVENTION MONTH 2019**

Mayor Sullivan read the proclamation for Child Abuse Prevention Month

**CONSENT AGENDA:**

❖ **Motion to approve Consent Agenda:**

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

**Council Member Shields motioned to accept the Consent Agenda as presented:**

Minutes of March 20, 2019 City Council Meeting

Check Register: March 21 - 29, 2019

Check Register: March 30 - April 3, 2019

Frankie's Liquor 2019 Retail Liquor Sales License

**Motion seconded by Council Member Stoker, voted on, passed 4-0.**

## **DISCUSSION FROM THE FLOOR:**

- ✓ Janet Reynolds, representative for the 150<sup>th</sup> Sesquicentennial Celebration, gave a brief overview of the activities included in the 4-day event starting on May 24 through May 27, 2019. Janet expressed her gratitude for all the community groups, organizations and citizens for their assistance with planning the event. The committee will be meeting twice a month starting April 8<sup>th</sup> and the next meeting being held April 22<sup>nd</sup>, both at the Library.
- ✓ Council Member Shields read a letter from Bill Marshawn who offered to build and implement a directional Map for the plots in the Oaklawn Cemetery. Judy Wier and Carol Stainbrook spoke on behalf of the Cemetery committee of the necessity for having a map like this placed in the cemetery. The committee would like approval from the Council for Bill Marchand to proceed.

❖ **Motion**

**Council Member Curtis motioned approval for Bill Marchand to construct a Directional map to be placed in the Oaklawn Cemetery. Motion seconded by Council Member Stoker, voted on, passed 4-0.**

## **REPORTS OF CITY OFFICERS:**

### **POLICE DEPARTMENT – CHIEF TATE WEST**

- 241 dogs tagged for 2018/12 left to be tagged
- 38 out of 252 have been tagged for 2019
- 12 Citations Issued since last meeting
- VIN Inspection: 3
- U.S. Mineral water well permit. Chief West called but hasn't received a response.
- Storm Sirens were tested today.
- Security cameras should be completed in the next couple of weeks.
- 310 Elm street owners asked to extend clean-up to the 14<sup>th</sup> of April. Extension was approved and they were informed this is the last extension.
- Chief West attended a site visit with the insurance adjuster regarding the house on 8<sup>th</sup> street with the hole in the roof. Chief West has not heard any follow-up to date.
- Chief West asked the Council for approval to send Chaplain Jeff Faulk to the International Conference of Police Chaplains in Wichita, KS July 22-26 with the City paying for the Seminar Fee only.

❖ **Motion**

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

**Council Member Stoker motioned to send the City Chaplain Jeff Faulk to the Police Chaplain Conference in Wichita on July 22-26 and to pay his advanced course fee of \$475.00. Motion seconded by Council Member Curtis, voted on, passed 4-0.**

## **SPECIAL PROJECTS:**

**Report by Paul Owings with BG Consultants**

**Report from Public Works – Jim Johnson**

### **WATER DISTRIBUTION PROJECT PHASE II UPDATE**

Paul Owings, BG Consultants, introduced himself to the Council and reviewed some of the notes he had received from Brett Waggoner. Paul reviewed the status of the project in regards to the punch list items and the final pay application. Paul will talk to the contractor to find out their anticipated schedule for doing the punch list items. Mayor Sullivan asked Paul to confirm that the warranty period for the project would not begin until the final documents were signed, Paul conquered.

### **WATER PROJECT PHASE II, METER PIT LIDS FOR ANTENNAE**

Paul explained the quote received from Orr-Wyatt for the replacement of the meter pit lids with ones that contained a recessed opening for the antennae to be installed through. Paul indicated two options of either the city purchasing the lids at \$15/each and having the city perform the labor to change out the lids or have Orr-Wyatt perform the work and purchase the lids at \$53.63 for a total of \$27,404.93. Council Member Curtis explained the discussions that had been previously held regarding the problem with the lids. He expressed that the city has already paid for an installation that is not working properly and the frustration that the antennae were not installed per manufacturer instruction. Council Member Stoker suggested that the Water committee members review the information received and allow Paul Owings time to review past Council meeting minutes and Brett's notes regarding the meter antennae installation before any further discussion. Mayor Sullivan stated to Paul that we all understand the issue and solution with the antennae but the problem is who is going to pay. Mayor Sullivan said we have to come to an understanding.

## **SPECIAL PROJECTS CONT:**

### **WATER TOWER**

Paul Owings said that Maguire Iron took care of the punch list at the new water tower. The grading at the old witch hat water tower will hopefully get completed in the next week.

### **WATER TREATMENT PLANT**

City Clerk Wade received an email from Shelley Electric that they will be mobilizing on Monday, April 8 and the foreman will be on-site Tuesday, April 9<sup>th</sup>.

### **SEWER PROJECT**

Preliminary evaluation has been completed. Paul asked the Council about having a Special meeting sometime during the week of April 22-26<sup>th</sup> to review a couple of different scenarios for the sewer project. Paul asked City Clerk Wade to send the current user rates and any debt information. Mayor Sullivan and the Council agreed to

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

a Special meeting with BG Consultants regarding the Sewer Improvement Project on Wednesday, April 24 at 6:00pm.

## **KDOT CCLIP GRANT PROJECT**

City Attorney Sutherland reviewed the agreement with KDOT for the upcoming CCLIP project. He pointed out the grant award amount of \$650,000 and that the city will endure the up-front cost for engineering, utility right of ways and non-participating items.

### **❖ Motion**

**Council Member Curtis motioned to approve for Mayor Sullivan to sign the proposed project agreement with KDOT for the CCLIP grant project. Motion seconded by Council Member Stoker, voted on, passed 4-0.**

## **REPORTS OF CITY OFFICERS:**

### **CITY ATTORNEY – JOHN SUTHERLAND - NONE**

#### **PUBLIC WORKS DEPARTMENT – PUBLIC WORKS SUPERINTENDENT (PWS) JIM JOHNSON**

- Business as normal. Trying to keep up with things even though short-handed. Council Member Curtis asked if the applicant for the Cemetery had completed all of his pre-employment tests. PWS Johnson indicated that Jesse Merrill did pass all pre-employment.

### **❖ Motion**

**Council Member Curtis motioned to approve the Mayor hiring Jesse Merrill as the Cemetery Caretaker at the rate of \$10/hr effective March 29, 2019. Motion seconded by Council Member Stoker, voted on, passed 4-0.**

### **FIRE DEPARTMENT – FIRE CHIEF DAN NASALROAD**

- KS State Fire Assoc 131<sup>st</sup> Conf, Apr 25-27 in Salina, KS. City Clerk Wade spoke to Fire Chief Nasalroad on the phone prior to the meeting and he would like Assistant Fire Chief Jeff Day to attend.

### **❖ Motion**

**Council Member Shields motioned to send Jeff Day to the school April 25-27 in Salina, KS. Motion seconded by Council Member Stoker, voted on, passed 3-0. Abstain- Council Member Curtis-conflict of interest (Fireman).**

## **REPORTS OF CITY OFFICERS CONT:**

### **CITY CLERK (CC) – JODI WADE -**

- CC Wade thanked PWS Johnson, Chief West and the Council for all of their support and patience helping those of us who are new as we continue to learn our roles. CC Wade indicated the importance of having that team support since there is so much to learn.
- CC Wade reminded the Council that the 2018 Audit will be April 15-17.
- CC Wade informed the Council that it's time to start working on the 2020 Budget.

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

## **COUNCIL COMMITTEE REPORTS:**

### **WATER & GAS –**

City Clerk Wade approached the Water Committee about meeting on April 8<sup>th</sup>, time will be determined.

### **STREET –**

Council Member Curtis brought some pictures to show the condition of the south portion of Sycamore Street. Would like to ask the County if they would assist with resurfacing that road. Council Member Stoker suggested he and Council Member Mitzner could present it to Commissioner Rick James when they talk to him about the KDOT CCLIP project.

**SEWER –** CC Wade has not had any response from BNSF Railroad regarding the sewer line repair and asked if the Council would support having a letter written to the railroad with the City Attorney's assistance. Mayor Sullivan asked that a letter be sent to BNSF Railroad to have someone come down to review the situation and determine if we can dig down to the casing.

**PARK –** Mayor Sullivan asked about the broken lights. PWS Johnson has not heard back from the electrician.

### **CEMETERY –**

CC Wade was approached by First Option Bank about doing a community clean-up project. CC Wade suggested First Option could help with the clean-up of the Oak Lawn Cemetery prior to and after Memorial Day weekend.

### **PUBLIC SAFETY – NONE**

### **COMMUNITY BUILDING**

CC Wade presented a bid from Legacy Contractors in the amount of \$5645.00 and a bid from Omega Door and Hardware to include \$1142 for the front door and \$964 for the back door at the Community Building and \$1238 to add panic hardware to the existing front door at City Hall and \$1673 to replace the existing door at City Hall with one that has panic hardware. Discussion was held by the Council.

### **❖ Motion**

**Council Member Curtis motioned to approve the bid from Omega Door and Hardware for the replacement of the front door with a door containing panic hardware at the City Hall and to add panic hardware to the front and back door of the Community Building for the total amount of \$3779.00. Motion seconded by Council Member Stoker, voted on, passed 4-0.**

### **EMPLOYEE RELATIONS & TRAINING - NONE**

## **SPECIAL COMMITTEE REPORTS:**

### **EMERGENCY MANAGEMENT – NONE**

### **SWANFEST COMMITTEE - NONE**

### **PLANNING AND ZONING CONTAINERS**

## **UNFINISHED BUSINESS:**



# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

**KMEA PRE-PAY PROJECT AGREEMENT-** CC Wade received an updated timeline from KMEA regarding the Pre-Pay project and the anticipated date for approval would be in June 2019. No discussion held.

## **NEW BUSINESS:**

### **STATE OF KS 2019 BUDGET WORKSHOP, OVERLAND PARK, KS MAY 29, 2019 9AM-4PM, \$75 WORKSHOP FEE**

CC Wade would like to attend the Budget Workshop to continue learning about the Budget.

#### **❖ Motion**

**Council Member Shields motion to send CC Wade to the Budget Workshop in Overland Park on May 29<sup>th</sup>. Motion seconded by Council Member Curtis, voted on, passed 4-0.**

## **EXECUTIVE SESSION:**

#### **❖ Motion**

**Council Member Stoker moved to go into executive session for 15 minutes following a 5-minute break for Non-elected personnel matter exception to discuss employee applications. Motion seconded by Council Member Curtis, voted on, passed 4-0. Time 8:37pm**

Others in attendance included, but not limited to: City Clerk Jodi Wade; City Attorney John Sutherland.

## **Open Session Resumed at 8:57p.m.**

## **OTHER BUSINESS:**

## **NOTES AND COMMUNICATIONS TO COUNCIL:**

## **ADJOURNMENT:**

#### **❖ Motion**

**Council Member Curtis moved to adjourn the meeting. Motion seconded by Council Member Stoker, voted on, passed 4-0. Time 9:01pm.**

I, \_\_\_\_\_  
(Jodi Wade)

best of  
subscribe my name

La Cygne City Clerk, do hereby declare  
the above to be true and correct, to the  
my knowledge, and do hereby  
on this 3<sup>rd</sup> of April 2019.

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

## **REGULAR MEETING:**

The La Cygne City Council met on Wednesday, April 17, 2019 at La Cygne City Hall. Council Members present were: Danny Curtis; Esther Shields; Keith Stoker; and Jerome Mitzner

Others in attendance included, but not limited to: City Attorney John Sutherland; City Clerk Jodi Wade; Public Works Superintendent Jim Johnson; Police Chief Tate West; Fire Chief Dan Nasalroad; Linn County News Tony Furse; BG Consultant Paul Owings; Fred and Linda Miesel; and Keith Smith

## **CALL REGULAR MEETING TO ORDER (7:00 P.M.)**

Pledge of Allegiance – Jim Johnson

## **MAYOR'S COMMENTS:**

### **PROCLAMATION FOR FAIR HOUSING MONTH 2019**

Mayor Sullivan read the proclamation for Fair Housing during the month of April 2019

### **CHAMBER OF COMMERCE EASTER EGG HUNT**

Mayor Sullivan reminded the public about the Easter Egg Hunt this Saturday, April 20 at 10am at the La Cygne Community Park. The La Cygne Fire Department will have a fire engine at the event.

## **CONSENT AGENDA:**

### **❖ Motion to approve Consent Agenda:**

#### **Council Member Shields motioned to accept the Consent Agenda as presented:**

Minutes of April 3, 2019 City Council Meeting  
March 2019 Budget Report  
March 2019 Treasurer Report  
First Quarter 2019 Financial Statement  
Check Register: April 4 – 17, 2019, 2019

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

## **DISCUSSION FROM THE FLOOR:**

NONE

## **SPECIAL PROJECTS:**

Report by Paul Owings with BG Consultants  
Report from Public Works – Jim Johnson

### **WATER PROJECT PHASE II, METER PIT LIDS FOR ANTENNAE**

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

Paul explained the quote received from Orr-Wyatt for the replacement of the meter pit lids was of course not accepted by the City of La Cygne. BG Consultants have reviewed the contract requirements for the Contractor which indicates meters were to be installed per manufacturers requirements. Paul has suggested a meeting with Orr-Wyatt, BG Consultants, the Council and

## **SPECIAL PROJECTS CONT**

### **WATER PROJECT PHASE II METER PIT LIDS FOR ANTENNAE CONT**

the Public Works together in order to get the issue resolved. Council Member Mitzner inquired if the whole Council needed to be present. Mayor Sullivan expressed all decision-makers should be present in case any business would need to be approved. Fire Chief Nasalroad asked why a meeting was necessary. Mayor Sullivan indicated the benefit of having all decision makers in one room would help to get things knocked out.

### **WATER DISTRIBUTION LINE- WATER PROJECT PHASE II, ORR-WYATT STREETSCAPES PAYMENT REQUEST #28 REVISED FOR \$100,000.**

Paul Owings reviewed Pay Application #28 which had to be revised to include the over/under billed in order for the total contract amount to be correct. Paul Owings also informed the Council members of an error on the schedule of the pay application which decreased the overall contract price by \$35,550. By making the adjustments, the balance to finish, plus retainage was now corrected to a positive amount but the retainage amount decreased to only \$16,109.84 due to the error.

### **WATER DISTRIBUTION LINE – CHANGE ORDER NO 7 – CHANGES TO QUANTITIES OF UNIT PRICE WORK AS DETAILED.**

Paul Owings reviewed Change order no 7 which makes the necessary adjustments to for the over/underbilled to bring the contract price to the correct amount.

### **WATER TOWER**

Public Works Superintendent (PWS) Johnson informed the Council members the grading had been performed on the lot where the old witch hat tower stood. The lot only needed to be seeded.

### **WATER TREATMENT PLANT**

Paul Owings, BG Consultant spoke on behalf of Eric Heathcoat that Shelley Electric had mobilized on Monday, April 8 and the foreman arrived on-site Tuesday, April 9<sup>th</sup>. PWS Johnson informed the Council the contractor has been working on the lighting and wiring first in order to have decent light for performing other aspects of the job. Paul Owings also reminded the Council of the change order that Shelley Electric would be submitting for extended schedule due to the government shut-down causing delay in the approval of the contract and start date.

### **SEWER PROJECT**

Preliminary evaluation has been completed. Paul reminded the Council of BG Consultants coming down next Wednesday, April 24 at 6:00pm for a special meeting to review the potential sewer project for the City of La Cygne. Those attending from BG Consultants include; Paul Owings, Sam and Abby.

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

## **❖ Motion**

**Council Member Mitzner motioned to approve for Mayor Sullivan to sign the revised pay application #28 from Orr-Wyatt Streetscapes and the Change Order No 7 adjusting the contract amount for the over/under billing. Motion seconded by Council Member Stoker, voted on, passed 5-0.**

## **REPORTS OF CITY OFFICERS:**

### **CITY ATTORNEY – JOHN SUTHERLAND - NONE**

#### **PUBLIC WORKS DEPARTMENT – PUBLIC WORKS SUPERINTENDENT (PWS) JIM JOHNSON**

- PWS Johnson informed the Council that his crew had cleaned up the area around the sewer line repair by the railroad. The repair required digging on the property of Kenny Boone, so the public works crew wanted to be sure to return the area in the yard that had been roughed up during the sewer repair.

#### **FIRE DEPARTMENT – FIRE CHIEF DAN NASALROAD**

- Council Member Mitzner reviewed the status of a ladder on one of the fire engines. The engine came with a 32' ladder which was very heavy and required at least 4-5 firemen to maneuver. Fire Chief Nasalroad would like to get a 24' ladder in lieu of the bigger ladder. He would keep the 32' ladder for situations which could arise on one of the 2 story-buildings on main street or around town.

## **❖ Motion**

**Council Member Stoker motioned to allow Fire Chief Nasalroad to purchase a 24' Aluminum ladder in the amount of \$629.25 to replace the 32' ladder on the engine. Motion seconded by Council Member Thies, voted on, passed 3-0. Abstain- Council Member Curtis and Council Member Mitzner-conflict of interest (Fireman).**

### **CITY CLERK (CC) – JODI WADE -**

- CC Wade informed the Council the 2018 Audit had been completed and the Auditor is in the process of putting together the Financial statement for presentation.
- CC Wade reviewed the Budget report from Summit with the Council Members. She defined the account numbers in order to help the Council understand the different funds. CC Wade would like to present "Cliff Notes" for the Budget during the next few meetings and she asked the Council to bring their budget reports with them to the meetings so they could follow along.

## **COUNCIL COMMITTEE REPORTS:**

### **WATER & GAS –**

City Clerk Wade reviewed the forms from the Water Committee meeting that was held on Monday, April 8<sup>th</sup>. PWS Johnson asked the Council to add a line indicating the resident needed to be present when the water was turned on as well as the gas on the Temporarily Suspend service form. CC Wade advised the Council the Utility Clerk was reviewing Landlord

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

policy of surrounding towns in order to create a future Landlord Registration/License form for the City of La Cygne.

## **STREET -**

PWS Johnson had a conversation with the Patch Material Company representative in regards to temporarily repairing the hole on Sycamore Street with some patch material. The representative estimated a cost of \$500. Council Member Curtis wanted to find out from the county a time-frame for resurfacing Sycamore Street. Council Member Stoker indicated if it was going to be a few months until the County could assist with the street resurfacing then it would be beneficial to try the patch as a temporary fix until the street could be done.

## **❖ Motion**

**Council Member Mitzner motioned to try the patch material to repair the hole until the County was available to help with the street. Motion seconded by Council Member Stoker, voted on, passed 5-0.**

## **COUNCIL COMMITTEE REPORTS CONT:**

**SEWER – NONE**

**PARK –** Mayor Sullivan asked about the broken lights. PWS Johnson has not heard back from the electrician.

**CEMETERY –NONE**

**PUBLIC SAFETY –NONE**

**COMMUNITY BUILDING**

CC Wade spoke with Omega Door and the hardware/door has been ordered and will take about 2-3 weeks to arrive.

**EMPLOYEE RELATIONS & TRAINING - NONE**

## **SPECIAL COMMITTEE REPORTS:**

**EMERGENCY MANAGEMENT –** Linda Miesel informed the Council the LEPC (Local Emergency Operations Plan) will not renew until 2020.

**SWANFEST COMMITTEE -NONE**

**150<sup>TH</sup> CELEBRATION –** Mayor Sullivan reminded everyone that we are just a few weeks out from the big celebration.

## **UNFINISHED BUSINESS:**

**KMEA PRE-PAY PROJECT AGREEMENT-** No Update

## **NEW BUSINESS:**

None

## **EXECUTIVE SESSION:**

## **❖ Motion**

**Council Member Mitzner moved to go into executive session for 10 minutes following a 5-minute break for Non-elected personnel matter exception to discuss employee**

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

**applications. Motion seconded by Council Member Stoker, voted on, passed 5-0. Time 8:05pm**

Others in attendance included, but not limited to: City Clerk Jodi Wade; City Attorney John Sutherland.

## **Open Session Resumed at 8:20p.m.**

### **❖ Motion**

**Council Member Mitzner moved to go into executive session for 5 minutes for Non-elected personnel matter exception to discuss employee applications. Motion seconded by Council Member Stoker, voted on, passed 5-0. Time 8:23pm**

## **Open Session Resumed at 8:28p.m.**

## **OTHER BUSINESS:**

### **❖ Motion**

**Council Member Curtis moved to hire Arlene Mick at \$10 per hour starting Thursday, April 18. Motion seconded by Council Member Shields, voted on, passed 5-0.**

## **EXECUTIVE SESSION:**

### **❖ Motion**

**Council Member Mitzner moved to go into executive session for 15 minutes for consultation with an attorney for the city which would be deemed privilege in an attorney-client relationship for pending litigation/threatened litigation. Motion seconded by Council Member Stoker, voted on, passed 5-0. Time 8:31pm**

## **Open Session Resumed at 8:32p.m.**

Council Member Mitzner rescinded his motion for Executive session and Mayor Sullivan announced the topic was not valid for Executive session and was an open meeting discussion.

### **❖ Motion**

**Council Member Mitzner motioned to put City Attorney John Sutherland on administrative leave, without pay so John Sutherland has the opportunity to handle his situation at hand. Motion seconded by Council Member Curtis, voted on, passed 5-0. Time 8:33pm**

## **NOTES AND COMMUNICATIONS TO COUNCIL:**

# Record of the Proceedings of the Governing Body 2019 MEETING MINUTES

- A] City Wide Clean-up, Saturday, May 11, starting at 6:30am
- B] City Wide Garage Sales, May 4 & 5

## **ADJOURNMENT:**

### **❖ Motion**

**Council Member Curtis moved to adjourn the meeting. Motion seconded by Council Member Mitzner, voted on, passed 5-0. Time 8:34pm.**

I, \_\_\_\_\_ La Cygne City Clerk, do hereby declare  
(Jodi Wade) the above to be true and correct, to the  
best of my knowledge, and do hereby  
subscribe my name on this 17<sup>th</sup> of April 2019.

## **SPECIAL MEETING:**

The La Cygne City Council met for a Special Meeting on Wednesday, April 24, 2019 at La Cygne City Hall. Council Members present were: Danny Curtis; Esther Shields; Keith Stoker; Jerome Mitzner; and James Thies.

Others in attendance included, but not limited to: City Clerk Jodi Wade; City Treasurer Connie Gore; Public Works Superintendent Jim Johnson; Linn County Newspaper Reporter Tony Furse; BG Consultants Paul Owings, Sam Johnson, and Abby Mills; and Devona Herrin.

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

### **The Purpose of the Special Meeting was called for:**

#### **❖ DISCUSS METER LIDS FOR ANTENNAE**

Mayor Sullivan inquired with BG Consultants about meeting with Orr-Wyatt Streetscapes. Paul Owings, BG Consultants informed the Mayor that Gary Wyatt was still out of town and Kenny Orr was waiting for his return to schedule a meeting.

#### **❖ REVIEW THE CCTV INSPECTION REPORT, PER AND POSSIBLE PROJECT SCENARIOS FROM BG CONSULTANTS.**

Paul Owings, BG Consultants, reviewed the results from the CCTV and explained that a few segments of pipe were not filmed due to manholes not being located. The Public Works Superintendent stated to BG Consultants they physically walked to the manholes with ACE Pipe Cleaning that had been indicated as unable to find. Paul said they would assume the condition of those lines would be similar to the rest of the findings in those areas.

Paul informed the Council of their recommendation for a Collection System Rehabilitation which included repair of manholes, replacing some segments of mains

## **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

that are severally cracked or off-set and lining mains as necessary which would include plugging abandoned taps. Two scenarios were presented to the Council. Both scenarios included rehab of manholes, main and removing sludge from the lagoons, but scenario 1 would only rehab Priority 1 taps and Scenario two would rehab ALL service Taps.

Council Member Thies asked if the Contractors will do Mandrel testing of the mains. Sam Johnson, BG Consultants said they will not, but another CCTV inspection is performed upon completion. Council Member Thies also asked exactly what was involved in rehabbing the manholes. Sam explained steps for sealing joints or cracks in the manhole, cut-off the steps and seal over them, sealing the joints in the chimney and completing the rehab with a Concrete Compound liner.

Public Works Superintendent Jim Johnson explained to Devona Herrin and the Council if a street project is in the future, the work performed on the manholes now will not have to be duplicated. We do not lower manholes but we can add up to two extensions if they need raised to meet the needs of the street repair.

Paul reminded the Council the schedule of values for billing will be by unit pricing.

Financing for the estimated \$3.7 to \$4.9 million-dollar project could be obtained through USDA Loans and CDBG/USDA Grants. Council Member Mitzner asked for explanation on the grant dollars. Paul said the most La Cygne could receive in grant dollars would be 45% of the project

cost. Council Member Mitzner asked if additional items on the sewer system needed repaired could they be added to the project. Paul encouraged the Council to make recommendations of additional repairs, such as generators, pumps or control panels for lift stations, and they could be added as alternates on the application presented to USDA.

### **ADJOURNMENT:**

#### **❖ Motion**

**Council Member Curtis moved to adjourn the meeting. Motion seconded by Council Member Stoker, voted on, passed 5-0. Time 7:21 pm.**

I, \_\_\_\_\_ La Cygne City Clerk, do hereby declare  
(Jodi Wade) the above to be true and correct, to the  
best of my knowledge, and do hereby  
subscribe my name this 24<sup>th</sup> day of April 2019.



# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

## **REGULAR MEETING:**

The La Cygne City Council met on Wednesday, May 1, 2019 at La Cygne City Hall. Council Members present were: Danny Curtis; Esther Shields; Keith Stoker; Jerome Mitzner and James Thies.

Others in attendance included, but not limited to: City Clerk Jodi Wade; Public Works Superintendent Jim Johnson; Police Chief Tate West; Fire Chief Dan Nasalroad; Corporal Kurtis West; Linn County News Tony Furse; Lesli Mitzner and Keith Smith.

## **CALL REGULAR MEETING TO ORDER (7:00 P.M.)**

Pledge of Allegiance – Esther Shields

## **MAYOR'S COMMENTS:**

### **CITY WIDE GARAGE SALE MAY 4 & 5 REMINDER**

Mayor Sullivan reminded the patrons this weekend is area wide garage sales.

### **CITY WIDE CLEAN UP MAY 11 REMINDER**

Mayor Sullivan reminded the public about the City wide clean up on May 11. He explained that certain items could be set out at the curbside. A flyer list has been provided on Facebook, the website and at City Hall.

### **SIMPLE SIMONS PIZZA**

Mayor Sullivan welcomed Simple Simons pizza restaurant which opened up on Monday, April 29.

### **LA CYGNE 150<sup>TH</sup> CELEBRATION**

Mayor Sullivan reminded the patrons that we only have 23 days till the 150<sup>th</sup> celebration. He expressed the importance of checking the schedules of events that will be taking place. Council member Stoker said things were coming together well. The next meeting for the 150<sup>th</sup> will be held on May 6 at the Library at 6pm.

## **RESIGNATION LETTER FROM CITY ATTORNEY JOHN SUTHERLAND:**

Mayor Sullivan addressed the Council with the receipt of a resignation letter from the City Attorney John Sutherland.

### **❖ Motion**

**Council Member Mitzner motioned to accept the resignation letter from City Attorney John Sutherland. Motion seconded by Council Member Stoker, voted on, passed 5-0.**

## **CONSENT AGENDA:**

### **❖ Motion to approve Consent Agenda:**

**Council Member Stoker motioned to accept the Consent Agenda as presented:  
Minutes of April 17, 2019 City Council Meeting**

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

Minutes of April 24, 2019 Special City Council Meeting

Check Register: April 18 – May 2, 2019

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

## **DISCUSSION FROM THE FLOOR:**

Lesli Mitzner with the Cub Scouts program asked for permission to use the Community Building from May 22 through August 30 for the homemade ice cream fundraiser which has helped raise money for many different programs within our community. Lesli indicated if the building was rented by another patron then the fundraiser would be held at another location or not at all.

### **❖ Motion**

**Council Member Shields motioned to allow Lesli Mitzner to use the Community Building for ice cream fundraiser from May 22 through Aug 30, 2019. Motion seconded by Council Member Stoker, voted on, passed 4-0. Abstain – Jerome Mitzner (conflict of interest)**

## **SPECIAL PROJECTS:**

~~Report by Paul Owings with BG Consultants~~  
Report from Public Works – Jim Johnson

### **WATER DISTRIBUTION LINE-**

Public Works Superintendent (PWS) Jim Johnson brought to the Council's attention the meter for Syd's Market. Orr Wyatt never tapped the line or installed the riser/setter for this building which originally had a 2" meter. The Council had approved to move the location of the original 2" meter which was in a location unable to be reached by a normal size backhoe. The council also approved a 5/8" meter for that location. PWS Johnson contacted Orr Wyatt and they stated a crew would come down and tap that line. Discussion was held on the size of the meter. Council Member Stoker stated if we agreed to a 5/8" meter at the start of the project then that is what we need installed.

### **WATER TOWER –PAY APPLICATION #12 FROM MAGUIRE IRON FOR THE GRADING AND SEEDING OF THE WITCH HAT TOWER LOT IN THE AMOUNT OF \$1500.**

City Clerk Wade stated Paul Owings tried to get the pay application for this meeting, but he has not received it yet. PWS Johnson said the subcontractor has completed the grading and wasn't sure if they had thrown some seed out on it or not.

### **WATER TREATMENT PLANT CHANGE ORDER #1 SHELLEY ELECTRIC FOR SCHEDULE TIME EXTENSION DUE TO GOVERNMENT SHUT-DOWN, NO DOLLAR CHANGE**

### **❖ Motion**

**Council Member Mitzner motioned to accept Change order #1 from Shelley Electric to extend the timeline for the project at no extra charge. Motion seconded by Council Member Stoker, voted on, passed 5-0.**

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

## **SEWER PROJECT**

City Clerk (CC) Wade informed the Council the Sewer committee met on Monday April 29 to review the project cost and to work on some rate analysis. PWS Johnson spoke to Paul Owings and submitted a list of alternatives. Council reviewed the alternates and Council Member Mitzner suggested to add safety equipment. PWS Johnson concurred and had discussed it with Paul Owings. CC Wade presented a potential schedule of rates and alternate costs being presented at the May 15 meeting, June Town Hall meeting, and completing application in July.

## **REPORTS OF CITY OFFICERS:**

### **CITY ATTORNEY –**

#### **POLICE CHIEF & CODES OFFICER – TATE WEST**

- Chief West reviewed his report which indicated 36 grass violation letters and 22 inoperable vehicle letters have been sent out. Only 123 out of 265 dogs have been tagged for 2019 and violation letters will be sent out by the end of this month.
- Council member Curtis asked about the property located at 310 Elm Street. Discussion was held on the completion of the clean-up of the lot. Chief West will start the nuisance process so if the owners decide not to continue the paperwork will be ready.
- U.S. Minerals has received a water well permit but has not started construction. Council Member Mitzner asked about our ability to enforce the practice of them watering down their piles to avoid the dust clouds that have affected neighboring areas. Chief West said the Use permit does implement requirements on them as well as the Permits from the state they are required to hold.
- 612 N 8<sup>th</sup> street – Chief West received an email from the lien holder. The insurance claim for the roof was denied by the insurance so the lien holder is working on releasing the lien which would allow us to move forward with the condemnation process.
- The electrician completed the installation of the wiring for the Security cameras in the City Hall. Cameras should be installed by the end of next week.

#### **PUBLIC WORKS DEPARTMENT – PUBLIC WORKS SUPERINTENDENT (PWS) JIM JOHNSON**

- PWS Johnson informed the Council about exposure of some tracing wire for the Gas line out on Hedgelane at the Regulating Station due to the flooding rains yesterday. He will be taking the backhoe out there tomorrow to fix the run-off.
- Page electric is coming to review the lights at Bittaker Park and PWS Johnson is getting quotes for either dusk to dawn sensor lights and/or putting a timer set for specific on/off times on the panel box.
- The paint has arrived to finish painting the parking stripes. PWS Johnson hopes to get the streets and cemetery all cleaned up by the 150<sup>th</sup> celebration.

#### **FIRE DEPARTMENT – FIRE CHIEF DAN NASALROAD**

Fire Chief Nasalroad let the Council know the No Parking sign out by US Minerals has been knocked down.

#### **CITY CLERK (CC) – JODI WADE –**

- CC Wade informed the Council our new part time office worker, Arlene Mick, has started and is doing a great job.

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

- Budget 101 - CC Wade reviewed the Budget report from Summit with the Council Members. She explained to the Council that they oversee four companies; the General Fund, Water Utility, Gas Utility and Sewer Utility. Her intention is to break down the budget to each of those companies separately for review. CC Wade explained the various accounts of the General Fund. She indicated where the revenues come from and what categories area expended out of the General Fund. CC Wade reviewed the Capital Improvement fund and the Equipment fund. She shared the possibility of creating a Utility Reserve fund to be used for equipment or repairs for the water and sewer utility.

## **COUNCIL COMMITTEE REPORTS:**

**WATER & GAS -NONE**

**STREET - NONE**

**SEWER -NONE**

**PARK-NONE**

**CEMETERY -**

PWS Johnson informed the Council the heavy rains had caused some of the new graves to settle. These will be taken care of as soon as the ground dries enough to get equipment in there.

**PUBLIC SAFETY -NONE**

**COMMUNITY BUILDING**

**EMPLOYEE RELATIONS & TRAINING - NONE**

## **SPECIAL COMMITTEE REPORTS:**

**EMERGENCY MANAGEMENT -**

**SWANFEST COMMITTEE -NONE**

**150<sup>TH</sup> CELEBRATION -** City Clerk Wade added a comment about volunteers needed to help. Council Member Mitzner informed the public the State of Kansas inspector will be there to make sure the vendors submit their form for sales tax.

## **UNFINISHED BUSINESS:**

**KMEA PRE-PAY PROJECT AGREEMENT-** No Update

## **NEW BUSINESS:**

- Resolution to approve Fireworks display at the 150<sup>th</sup> celebration on May 26, 2019.

### **❖ Motion**

**Council Member Shields motioned to accept Resolution 406 with the approval date adjusted to May 1, 2019. Motion seconded by Council Member Stoker, voted on, passed 5-0.**

- Annual 2018 Consumer Confidence report is available on our website and here at City hall.

## **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

- City Legal services Request for proposal. CC Wade asked the Council to review the RFP that will be sent out to the potential attorneys for our open position. CC Wade received advisement from the League of Municipality and a directory of Attorneys in cities near us. The Council advised CC Wade to proceed with sending out the RFP which request a return of information by May 10, 2019.
- Letter of Engagement from Rouse, Frets, White, Goss, Gentile, Rhodes, P.C
- Letter of Engagement from Burton Harding, Interim City Attorney and Lauber.

### **❖ Motion**

**Council Member Mitzner motioned to take a 15-minute recess for Council Members to review the letters of engagement received for interim legal service. Motion seconded by Council Member Stoker, voted on, passed 5-0. Time 8:42pm**

**Open Session Resumed at 8:57p.m.**

### **NEW BUSINESS CONT:**

Discussion was held by the Council regarding the letters of engagement received for Interim Legal services for the City of La Cygne until a new City Attorney was appointed.

### **❖ Motion**

**Council Member Shields motioned to hire Burton Harding as the interim attorney for the City of La Cygne. Motion seconded by Council Member Stoker, voted on, passed 5-0.**

### **❖ Motion**

**Council Member Mitzner motioned to enter in to agreement with Rouse, Frets, White, Goss, Gentile and Rhodes, P.C. as an "as-needed" attorney on our contract projects. Motion seconded by Council Member Stoker, voted on, passed 5-0.**

- Chief West asked for the Council's approval to keep Captain Shaun West on part-time status employment during the time frame of May 21 through August 30 while Chief West is out for surgery. Chief West explained to the Council that Corporal Kurtis West would be adjusting his schedule during this period and the County Sheriff's office would also assist with calls to allow operations to continue. Captain Shaun West would only be utilized in as-needed situations.

### **❖ Motion**

**Council Member Mitzner motioned to keep Captain Shaun West as a part-time officer until August 2019. Motion seconded by Council Member Stoker, voted on, passed 4-1. (Council member Curtis – Nay)**

### **EXECUTIVE SESSION:**

### **❖ Motion**

**Record of the Proceedings of the Governing Body  
2019 MEETING MINUTES**

**Council Member Stoker moved to go into executive session for 8 minutes for Non-elected personnel matter exception to discuss employee applications. Motion seconded by Council Member Curtis, voted on, passed 5-0. Time 9:18pm**

Others in attendance included, but not limited to: City Clerk Jodi Wade.

**Open Session Resumed at 9:26 p.m.**

**OTHER BUSINESS:**

❖ **Motion**

**Council Member Mitzner moved to hire Jesse Cole at a rate of \$11 per hour through the SE Kansasworks program. Motion seconded by Council Member Stoker, voted on, passed 5-0.**

- Chief West asked for approval for him and Corporal West to attend a 2-hr VIN inspection class in Mound City. No fee.

❖ **Motion**

**Council Member Mitzner motioned to approve for Chief West and Corporal West to attend the VIN Insp class. Motion seconded by Council Member Thies, voted on, passed 5-0.**

**NOTES AND COMMUNICATIONS TO COUNCIL:**

**ADJOURNMENT:**

❖ **Motion**

**Council Member Curtis moved to adjourn the meeting. Motion seconded by Council Member Stoker, voted on, passed 5-0. Time 9:31pm.**

I, \_\_\_\_\_ La Cygne City Clerk, do hereby declare  
(Jodi Wade) the above to be true and correct, to the  
best of my knowledge, and do hereby  
subscribe my name on this 1<sup>st</sup> of May 2019.

**REGULAR MEETING:**

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

The La Cygne City Council met on Wednesday, May 15, 2019 at La Cygne City Hall. Council Members present were: Danny Curtis; Esther Shields; Keith Stoker; Jerome Mitzner and James Thies.

Others in attendance included, but not limited to: City Clerk Jodi Wade; Public Works Superintendent Jim Johnson; Police Chief Tate West; Fire Chief Dan Nasalroad; Corporal Kurtis West; City Attorney-Interim Burton Harding; Linn County News Tony Furse; BG Consultants Paul Owings.

## **CALL REGULAR MEETING TO ORDER (7:00 P.M.)**

Pledge of Allegiance – Keith Stoker

## **MAYOR'S COMMENTS:**

### **2019 PRAIRIE VIEW GRADUATION**

Mayor Sullivan congratulated all graduating seniors from Prairie View High school. He reminded them to enjoy the celebrations with their families and friends but to be safe.

## **CONSENT AGENDA:**

### **❖ Motion to approve Consent Agenda:**

#### **Council Member Shields motioned to accept the Consent Agenda as presented:**

Minutes of May 1, 2019 City Council Meeting  
April 2019 Treasurer's Report  
April 2019 Budget Report  
Check Register: May 3 – May 15, 2019

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

## **DISCUSSION FROM THE FLOOR:**

NONE

## **SPECIAL PROJECTS:**

**Report by Paul Owings with BG Consultants  
Report from Public Works – Jim Johnson**

### **WATER DISTRIBUTION LINE-**

BG Consultant, Paul Owings, updated the Council regarding the meeting held on Monday, May 13 at the City Hall. Orr-Wyatt Streetscapes (Contractor) will replace all of the lids at no additional cost. The contractor is working with the supplier to order lids and upon receipt will get them installed. Final pay application and closing documents will be prepared and presented upon completion of the meter lids. Paul explained to the Mayor that it would be more economical for the contractor to make 1 trip in to get all the lids and the punch list items completed.

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

## **SPECIAL PROJECTS CONT:**

### **WATER TOWER –PAY APPLICATION #12 FROM MAGUIRE IRON FOR THE GRADING AND SEEDING OF THE WITCH HAT TOWER LOT IN THE AMOUNT OF \$1500.**

Public Works Superintendent (PWS) Johnson informed Mayor Sullivan and the Council that he is satisfied with the work at the new tower and the completion of the lot where the old Witch hat tower was installed. PWS Johnson said the contractor did grade the lot and had put some grass seed on it.

#### **❖ Motion**

**Council Member Curtis motioned to pay application #12 from Maguire Iron in the amount of \$1500 to close that project out. Motion seconded by Council Member Stoker, voted on, passed 5-0.**

### **CONTRACTOR'S AFFIDAVIT**

BG Consultant Paul Owings reviewed the Contractor's Affidavit which verifies that Maguire Iron does not have any outstanding debt and has paid all bills relevant to the Water Tower Project.

### **COMPLETION OF WORK CERTIFICATE**

BG Consultant Paul Owings reviewed the Completion of work certificate with the Mayor and Council. This document confirms the final completion date of the Water Tower Project and must be signed by the owner (City of La Cygne).

#### **❖ Motion**

**Council Member Mitzner motioned we sign the Completion of Work certificate for the Water tower project No. 15-1215L. Motion seconded by Council Member Stoker, voted on, passed 5-0.**

### **FINAL ESTIMATE BY SURETY (BONDS)**

BG Consultants Paul Owings explained the release of bonds effective April 24, 2020.

### **SEWER PROJECT**

BG Consultant Paul Owings reviewed the additional improvements he and PWS Johnson had discussed, which include the following:

- Replace four submersible pumps
- Replace two pump station control panels
- Replace two generators
- Add riprap to lagoon and perform miscellaneous grading
- Add gravity sewer lines and gates at the lagoon in lieu of parallel force mains
- Add 8" force main bore and jack connection
- Confined space equipment

Paul distributed an updated Funding table showing the increase in project price with the additional improvements. City Clerk Wade said the committee had discussed scheduling a Town hall meeting sometime in June to present the project and rate increases to the community. Council held discussion regarding possible dates and settled on Monday, June



# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

10, 2019 at 7:00pm. City Clerk Wade will work on postings and flyers to get out to members of the community.

## **SPECIAL PROJECTS CONT:**

### **WATER TREATMENT PLANT AND PAY APPLICATION #1 FROM SHELLEY ELECTRIC IN THE AMOUNT OF \$172,632.15.**

BG Consultant Paul Owings reviewed the update given to him by Eric Heathcoat. Mayor Sullivan asked for clarification on the amount of material that is currently on site. Progress by the contractor was reviewed in the report. City Clerk Wade verified the adjustments on the pay application were for 10% retainage being held.

#### **❖ Motion**

**Council Member Mitzner motioned to approve Pay application #1 from Shelley Electric for the amount of \$172,632.15. Motion seconded by Council Member Stoker, voted on, passed 5-0.**

## **REPORTS OF CITY OFFICERS:**

### **CITY ATTORNEY –**

Burton Harding, Interim City Attorney, introduced himself to the Mayor and City Council Members. Burton shared his current and past experience in municipal government and expressed his gratitude for filling in as Interim City Attorney for the City of La Cynge.

### **POLICE CHIEF & CODES OFFICER – TATE WEST**

- Chief West reviewed his report which indicated 5 citations had been issued and (4) more letters will be written for violations.
- Council member Curtis asked about the property located at 310 Elm Street – Chief West will do a follow up call.
- Chief West's last day before his medical leave is Monday, May 20, 2019.
- 612 N 8<sup>th</sup> street – Chief West will do a follow-up.
- Cameras have been installed.

### **PUBLIC WORKS DEPARTMENT – PUBLIC WORKS SUPERINTENDENT (PWS) JIM JOHNSON**

- PWS Johnson informed the Council about a large dead tree at the cemetery that needs to be removed. Carl Marrs reviewed the tree and gave a price of \$650 to remove the tree and the stump.

#### **❖ Motion**

**Council Member Shields motioned to approve the removal of the dead tree at the cemetery by Carl Marrs for the amount of \$650. Motion seconded by Council Member Mitzner, voted on, passed 5-0.**

### **FIRE DEPARTMENT – FIRE CHIEF DAN NASALROAD**

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

Fire Chief Nasalroad updated the Council about the 24 ladder that was approved to be purchased. Dan has since learned of the freight cost for the ladder which amounts to \$499. Council Member Stoker suggested looking in to courier services. Dan will follow up with Council.

## **REPORTS OF CITY OFFICERS CONT:**

### **CITY CLERK (CC) – JODI WADE -**

- Budget review – CC Wade has been reviewing some of the agreements for some of the services for the city, such as; Uniforms, mat/mops for city hall and community building.
- Economic Development Grant for FY 2020 would be around \$60,000. The Council needs to determine where they would like to apply the grant dollars. Discussion was held on prior year projects the grant had been used.
- City-Wide Clean up. CC Wade received an email from Bryce showing the amount of 4.25 tons being picked up on May 11 which is the smallest amount to date. PWS Johnson gave a report from the clean-up day and asked the Council to review future options for clean-up. PWS Johnson stated a lot of the items that patrons need cleaned out are ones that are not allowed to be set out, such as; Scrap metal, tires, appliances, etc. The Council suggested checking around to see if there are other services available for picking up those types of items and they would review options for clean-up day. Council Member Stoker pointed out the fact the city has been providing this service for the past 4 years and eventually things will be cleaned up well enough around town that we won't have as much to be picked up.

## **COUNCIL COMMITTEE REPORTS:**

**WATER & GAS –NONE**

**STREET - NONE**

**SEWER -NONE**

**PARK-NONE**

**CEMETERY –NONE**

**PUBLIC SAFETY –NONE**

**COMMUNITY BUILDING - NONE**

**EMPLOYEE RELATIONS & TRAINING - NONE**

## **SPECIAL COMMITTEE REPORTS:**

**EMERGENCY MANAGEMENT –**

**SWANFEST COMMITTEE -NONE**

**150<sup>TH</sup> CELEBRATION –** City Clerk Wade shared plan B for the celebration if rain is in the forecast. The committee will move the event to Main street if it is too wet to have the event in the park. Some committee members would like to know by Friday/Saturday this week. CC Wade said the Park board is meeting in the park on Thursday, May 16 and they will discuss the plan.

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

## **UNFINISHED BUSINESS:**

**KMEA PRE-PAY PROJECT AGREEMENT-** No Update

## **NEW BUSINESS:**

### **SUEZ ANNUAL WATER TOWER MAINTENANCE / INSPECTION FOR THE NEW WATER TOWER AT THE PLANT.**

The Council reviewed the agreement and held discussion about the warranty period for the new tower. Council Member Stoker asked CC Wade to get confirmation from the Contractor on the warranty period end date and confirm the start date for the contract with Suez. Council Member Stoker suggested to have Suez come in a couple months before the end of the warranty period.

## **NEW BUSINESS CONT:**

### **DIEHL, BANWART, BOLTON, CPA'S PA, 2018 CONTRACT FOR AUDIT**

CC Wade explained the contract was not sent prior to the audit. Burton Harding, City Attorney, asked to review the contract.

### **DIEHL, BANWART, BOLTON, CPA'S PA, 2018 CLIENT REPRESENTATIONS LETTER**

CC Wade presented the letter of representation from the Auditor. Burton Harding, City Attorney, asked to review the representation letter on behalf of the city.

#### **❖ Motion**

**Council Member Mitzner motioned to approve for the Mayor to sign the 2018 Contract for Audit and the 2018 Client Representation Letter upon review and approval from the Interim City Attorney. Motion seconded by Council Member Stoker, voted on, passed 5-0.**

## **EXECUTIVE SESSION:**

None

## **OTHER BUSINESS:**

## **NOTES AND COMMUNICATIONS TO COUNCIL:**

## **ADJOURNMENT:**

#### **❖ Motion**

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

**Council Member Curtis moved to adjourn the meeting. Motion seconded by Council Member Stoker, voted on, passed 5-0. Time 8:26 pm.**

I, \_\_\_\_\_ La Cygne City Clerk, do hereby declare  
(Jodi Wade) the above to be true and correct, to the  
best of my knowledge, and do hereby  
subscribe my name on this 15<sup>th</sup> of May  
2019.

## **Town Hall Meeting:**

The La Cygne City Council met for a Special Meeting on Monday, June 10, 2019 at La Cygne Community Building. Council Members present were: Danny Curtis; Esther Shields; and Jerome Mitzner

Others in attendance included, but not limited to: City Clerk Jodi Wade; City Treasurer Connie Gore; BG Consultants Paul Owings; Terry Weitman; Fred and Linda Miesel

Mayor Robert Sullivan called the special meeting to order at 7:00 p.m.

## **The Purpose the Town Hall Meeting was called for:**

### **❖ REVIEW PRELIMINARY REPORT SUMMARY FOR A SEWER REHABILITATION PROJECT**

Paul Owings, BG Consultants reviewed the background of the sewer system and the efforts to date for improving the system. Paul explained the "symptoms" causing deterioration to the system. Paul Owings, reviewed the results from the CCTV that were utilized in factoring the preliminary PER report summary.

Paul informed the group of their recommendation for a Collection System Rehabilitation which included repair of manholes, replacing some segments of mains that are severally cracked or off-set and lining mains as necessary which would include plugging abandoned taps.

Paul went through the (3) Improvement project alternatives and the project funding opportunities. The project cost ranges from 3.7 million to 6.2 million.

Discussion was held regarding the rate increases that would need to occur to meet the obligation of the loans.

## **ADJOURNMENT:**

### **❖ Motion**



# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

## **LINN COUNTY INSURANCE AGENT ANGEL RICE**

Angel Rice presented a dividend check to the City of La Cygne in the amount of \$7338.00 for 2019.

## **PLANNING & ZONING COMMISSIONER DEB WILSON**

Deb Wilson issued a copy of the Comprehensive Plan the Planning & Zoning Committee has been working on to date. Deb asked the Mayor and Council to review the plan for advisement. Currently the committee is waiting for feedback on the 3-5 year plans the Council has in mind. Communication between the Planning & Zoning Committee and the City Council was discussed. Efforts will be made to encourage a stronger relationship between the two entities. Mayor Sullivan thanked Deb Wilson and the Committee for their time and all the hard-work they have put in on the comprehensive plan.

## **DISCUSSION FROM THE FLOOR CONT:**

### **IOTA TAU SORORITY – CHRIS WADDELL**

Chris was not able to attend the meeting but submitted a letter for the Council to review regarding the Christmas lights on main street and KS Hwy 152 that have been provided by the Iota Tau Sorority over the past several years. The sorority has disbanded and wanted to see if the City would like to take over the responsibility of the Christmas lights. The Sorority has hired Dreamscapes to handle the installation, removal and storage of all lights. In the past the cost has been around \$1590.

#### **❖ Motion**

**Council Member Mitzner motioned to notify Iota Tau Sorority that the city will take over the Christmas lights. Motion seconded by Council Member Stoker, voted on, passed 5-0.**

## **SPECIAL PROJECTS:**

**Report by Paul Owings and Brian Kingsley with BG Consultants  
Report from Public Works Superintendent (PWS) – Jim Johnson**

### **WATER DISTRIBUTION LINE-**

BG Consultant, Paul Owings, reviewed the material submittal for the new meter lids. Council member Stoker inquired on the schedule for installation. Paul Owings reiterated the General Contractor will place the order upon receipt of concurrence from the Council. As soon as the lids are in, Orr-Wyatt will schedule their crew for replacement. The Council reviewed the lids with PWS Johnson.

#### **❖ Motion**

**Council Member Mitzner motioned to concur with the lids as presented. Motion seconded by Council Member Curtis, voted on, passed 5-0.**

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

## **WATER TREATMENT PLANT –PAY APPLICATION #2 FROM SHELLEY ELECTRIC, INC IN THE AMOUNT OF \$61,587.**

City Clerk Wade reviewed the updates from the construction meeting. Progress is going along well. Lighting looks great, HVAC & Louvers are installed, and panels should arrive in approximately 2 weeks. Water Salesman is to arrive in about 2-3 weeks. Eric Heathcoat is working on a list of some possible additional items that could be accomplished on this project due to some remaining dollars.

### **❖ Motion**

**Council Member Mitzner motioned to pay application #2 from Shelley Electric for the plant improvements in the amount of \$61,587. Motion seconded by Council Member Stoker, voted on, passed 5-0.**

## **SPECIAL PROJECTS CONT:**

### **SEWER PROJECT**

Paul Owings, BG Consultants, reviewed information that had been shared at the recent Town Hall meeting. Emil Wilson had various questions regarding the scope of the project and the rates for the customers. Consideration was given to the pros and cons of this sewer project. City Clerk Wade advised the council about making a decision tonight because time was running out for completing the application for funding dollars for 2019/2020.

### **❖ Motion**

**Council Member Stoker motioned to pursue Sewer Improvement Alternative #3 to include Rehabilitation of Manholes, Clay Sewer Mains and all service taps, lagoon improvements, and Pump/Station Collection improvements. Motion seconded by Council Member Thies, voted on, passed 4-1 (Council Member Curtis-Nay).**

## **REPORTS OF CITY OFFICERS:**

### **CITY ATTORNEY –NONE**

### **POLICE & CODES OFFICER – KURTIS WEST**

- Corporal West reported only 6 dogs left to tag for 2019.
- Time to reorder Citation (Ticket) books. Company is out of business. Quote was received from Linn County Printing in the amount of \$509 for 20 books. A one-time initial set-up fee of \$400 is included in the price.

### **❖ Motion**

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

**Council Member Shields motioned to approve the quote for 20 Books from Linn County Printing in the amount of \$509. Motion seconded by Council Member Stoker, voted on, passed 5-0.**

## **PUBLIC WORKS DEPARTMENT – PUBLIC WORKS SUPERINTENDENT (PWS) JIM JOHNSON**

- PWS Johnson reviewed an issue with an exposed gas line at 13646 W 2400. The flooding rains have caused breaks in the levee of an existing pond. The waters have washed out the rock and exposed the gas line. The Council advised Jim to have a conversation with the owner regarding possible agreements to repair and prevent future problems. City Attorney Harding will review options the city has regarding the potential to vacate the line.
- Cemetery Caretaker Jesse Merrill has turned in his notice. His last day of work will be July 5<sup>th</sup>.
- Preston with Core & Main brought the replacement register for the new RWD meter that went bad. Jim replaced it and was informed by Preston we could have future issues due to the register not being meant to be submerged in water.
- Temporary sewer repair at 614 Chestnut was reviewed. A letter was issued to the owner in December 2017. A response has not been received and the permanent fix has not been performed. Council advised City Clerk Wade to draw up a draft letter for the City Attorney to review to be sent to the home owner.
- PWS Johnson announced to the City Council his estimated retire date of September 16, 2019. He is waiting for some feedback from KPERS and Soc Security to officialize the date.

## **REPORTS OF CITY OFFICERS CONT:**

### **PUBLIC WORKS DEPARTMENT – PUBLIC WORKS SUPERINTENDENT (PWS) JIM JOHNSON**

- PWS Johnson has an estimated cost of \$2500 from Page Electric for replacing the lights at Bitaker Park and replacing the wiring and switch. Three new lights will be installed.

❖ **Motion**

**Council Member Thies motioned to approve the lights not to exceed \$2500 for the North City Park. Motion seconded by Council Member Mitzner, voted on, passed 5-0.**

### **FIRE DEPARTMENT – FIRE CHIEF DAN NASALROAD - NONE**

### **CITY CLERK (CC) – JODI WADE -**

- Toilet at community building needs repair. Air conditioner capacitor was replaced and is working well.
- Omega doors is running behind on their schedule due to the weather.
- HRMAK Conference and Training in Paola, KS, June 20 from 8am-4:30pm, \$25.

❖ **Motion**



# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

**Council Member Mitzner motioned to approve for City Clerk Wade to attend the HRMAK Conference. Motion seconded by Council Member Shield, voted on, passed 5-0.**

## **COUNCIL COMMITTEE REPORTS:**

**WATER & GAS –NONE**

**STREET - NONE**

**SEWER -NONE**

**PARK-NONE**

**CEMETERY –**

PWS Johnson asked for the Council's approval to replace Jesse Merrill with Jesse Cole. Jesse Cole has been working for the City of La Cygne through the Kansasworks program.

### **❖ Motion**

**Council Member Shields motioned to hire Jesse Cole for the Cemetery caretaker position at a rate of \$10 upon the completion of preemployment requirements. Motion seconded by Council Member Mitzner, voted on, passed 5-0.**

**PUBLIC SAFETY –NONE**

**COMMUNITY BUILDING**

The Council asked City Clerk Wade to find a contractor to repair the toilet in the men's bathroom.

**EMPLOYEE RELATIONS & TRAINING - NONE**

## **SPECIAL COMMITTEE REPORTS:**

**EMERGENCY MANAGEMENT –NONE**

**SWANFEST COMMITTEE -NONE**

## **UNFINISHED BUSINESS:**

**KMEA PRE-PAY PROJECT AGREEMENT-**

Estimated prepay volume spreadsheet was received from Dixie Riedel for review. The Minnesota Municipal Utilities group is asking for volume estimates from the cities to ensure the volume requirement is met for the project. This does not commit the city to the project. A contract will be presented from Minnesota Municipal Utility for the city to review to determine their commitment.

### **❖ Motion**

**Council Member Stoker motioned to submit the spreadsheet showing 30% estimated volume amounts the city would be willing to offer to the pre pay project. Motion seconded by Council Member Mitzner, voted on, passed 5-0.**

## **NEW BUSINESS:**

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

## **MODERN COPY SYSTEMS MAINTENANCE AGREEMENT FOR TA 3500I COPIER**

### **❖ Motion**

**Council Member Mitzner motioned to accept the maintenance agreement with Modern Copy Systems in the amount of \$1100/yr. Motion seconded by Council Member Stoker, voted on, passed 5-0.**

## **HACH MAINTENANCE PROPOSAL FOR WATER TREATMENT PLANT EQUIPMENT**

### **❖ Motion**

**Council Member Mitzner motioned to accept the maintenance agreement proposal from Hach in the amount of \$8,201. Motion seconded by Council Member Stoker, voted on, passed 5-0.**

## **LINN COUNTY COMPACTOR OPERATION MEMORANDUM**

CC Wade asked the council to review the memorandum regarding some of the changes the state is implementing for the compactor site. CC Wade and Bill Craven have reviewed the letter and will continue the reporting as required.

## **GRANDVIEW ADDITION IN THE CITY OF LA CYGNE AND STREET DEDICATION**

CC Wade reviewed a survey drawing that was presented to the city by Kent Wade. The drawing and legal descriptions were reviewed by City Attorney Harding and CC Wade. City Attorney Harding would like to review the deeds for the Grandview addition to be sure there is no conflict with the 16' alley that is shown on the 1974 re-plat of the Grandview Addition. Kent Wade has met with the Planning & Zoning Committee regarding the dedication of the land for the dedication of 8<sup>th</sup> street and a portion of Grandview Avenue. City Attorney Harding explained the term "prescriptive" which was used in reference to the current alley (utility easement) and gravel roadway. CC Wade and City Attorney Harding will follow-up with the Council on the review of the deeds.

## **FUTURE VERIZON TOWER LOCATION**

CC Wade reviewed the location at the end of 5<sup>th</sup> street to the south of the current bus barn. This lot had originally been dedicated to the City of La Cygne by the Clark family for a future Fire Station. Fire Chief Nasalroad said he would not use it for a station due to issues with getting trucks in and out.

## **NEW BUSINESS CONT:**

### **FUTURE VERIZON TOWER LOCATION CONT**

The City Council advised CC Wade to contact the Clark family to let them know the lot would not be used for a fire station and that we have been approached by a company regarding the installation of the Verizon Tower.

### **100<sup>TH</sup> ANNUAL WATER & WASTEWATER OPERATORS SCHOOL**

Jerry McCarty would like to attend to get his credit hours for his Wastewater Certification. Cost is \$85 for the workshop and \$99 for hotel room.

**Record of the Proceedings of the Governing Body  
2019 MEETING MINUTES**

❖ **Motion**

**Council Member Mitzner motion to approve for Jerry McCarty to attend the Water & Wastewater Operators School on July 31 and August 1 at a cost of \$85 and lodging if needed. Motion seconded by Council Member Curtis, voted on, passed 5-0.**

**EXECUTIVE SESSION:**

None

**OTHER BUSINESS:**

Council Member Mitzner stated how impressed he was by the town coming together for the 150<sup>th</sup> celebration. Considering the weather situation, the team pulled together and we still had a very decent crowd for all of the activities.

**NOTES AND COMMUNICATIONS TO COUNCIL:**

KMEA state-wide Operator Qualification (OQ) plan finalized.

**ADJOURNMENT:**

❖ **Motion**

**Council Member Mitzner moved to adjourn the meeting. Motion seconded by Council Member Stoker, voted on, passed 5-0. Time 9:45 pm.**

I, \_\_\_\_\_ La Cygne City Clerk, do hereby declare  
(Jodi Wade) the above to be true and correct, to the  
best of my knowledge, and do hereby  
subscribe my name on this 19<sup>th</sup> of June 2019.

**REGULAR MEETING:**

The La Cygne City Council met on Wednesday, July 3, 2019 at La Cygne City Hall. Council Members present were: Danny Curtis; Esther Shields; Keith Stoker; Jerome Mitzner and James Thies.

Others in attendance included, but not limited to: City Clerk Jodi Wade; Public Works Superintendent Jim Johnson; Corporal Kurtis West; Fire Chief Dan Nasalroad; City Attorney-Interim Burton Harding; Linn County News Tony Furse; Public Works Operator Codee Blanchett.

**CALL REGULAR MEETING TO ORDER (7:00 P.M.)**

Pledge of Allegiance – Jim Johnson

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

## **MAYOR'S COMMENTS:**

### **4<sup>TH</sup> OF JULY REMINDER**

Mayor Sullivan reminded the patrons about the 4<sup>th</sup> of July festivities, to include Blast in the Park. He advised the community to be safe and respectful while discharging fireworks.

## **CONSENT AGENDA:**

### **❖ Motion to approve Consent Agenda:**

**Council Member Shields motioned to accept the Consent Agenda as presented:**

Minutes of June 19, 2019 City Council Meeting

Check Register: June 20 – July 3, 2019

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

## **DISCUSSION FROM THE FLOOR:**

### **U.S. SENATOR JERRY MORAN TOWN HALL MEETING AT THE LA CYGNE COMMUNITY BUILDING JULY 15, 2019**

The Senator would like to host a town hall meeting on July 15, 2019 at the La Cygne Community building to provide some updates from Washington to the public. They are asking for the fee to be waived for the community building but are willing to pay the refundable deposit.

### **❖ Motion**

**Council Member Mitzner motioned to waive the Community Building fee but require the refundable deposit for US Senator Jerry Moran's Town Hall meeting on July 15. Motion seconded by Council Member Stoker, voted on, passed 5-0.**

## **SPECIAL PROJECTS:**

**Report by Paul Owings with BG Consultants**

**Report from Public Works Superintendent (PWS) – Jim Johnson**

### **WATER DISTRIBUTION LINE-**

An email was received from Kenny Orr indicating 200-meter lids were currently in stock from the vendor so they will begin installation of lids around the 3<sup>rd</sup> week of July, weather

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

permitting. Upon receipt of the remaining lids, their crew will complete the installation of the new lids and the punch list items.

## **WATER TREATMENT PLANT –NONE**

### **SEWER PROJECT**

City Clerk(CC) Wade explained the estimated potential of \$500,000-\$600,000 in grant dollars for the sewer improvement project. She reviewed the EDU equation utilized by USDA to determine the rate amount. CC Wade indicated a project loan amount of \$7,000,000 was used when the clerks figured the rates. The current estimated loan amount could be around \$5,200,000. The council felt comfortable to proceed with submitting the USDA application.

### **STREET PROJECT – KDOT CCLIP APPLICATION**

CC Wade updated the Council regarding the sketch presented by BG Consultants. The Council was informed about a meeting scheduled for Monday, July 8 at 6pm to include all the businesses located in the vicinity of the KDOT CCLIP project at Industrial and KS Hwy 152.

## **REPORTS OF CITY OFFICERS:**

### **CITY ATTORNEY –NONE**

#### **POLICE & CODES OFFICER – KURTIS WEST**

- Corporal West reported a couple of citations and only 2 or 3 dogs left to tag.

#### **PUBLIC WORKS DEPARTMENT – PUBLIC WORKS SUPERINTENDENT (PWS) JIM JOHNSON**

- PWS Johnson updated the Council on the exposed gas line at 13646 W 2400. Conversation was held with the property owner regarding the safety concerns with the gas meter and line. The Owner agreed to endure the cost (Approx. \$5000) to repair the levee on his pond and the City Public Works crew moved the meter closer to the main in a safer location at no expense to the property owner. The cost to the city was estimated to be approximately \$1,000.

#### **FIRE DEPARTMENT – FIRE CHIEF DAN NASALROAD –**

- Fire Chief Nasalroad inspected both firework vendor stands. He reminded everyone to be safe over the 4<sup>th</sup> of July and to be sure to attend the Blast in the Park event at the La Cygne Community Park.

#### **CITY CLERK (CC) – JODI WADE -**

- CC Wade inquired about having another Budget workshop on July 10<sup>th</sup> at 6pm. Council members agreed upon the date and time.

## **COUNCIL COMMITTEE REPORTS:**

### **WATER & GAS –NONE**

#### **STREET –**

Jerome Mitzner will visit with Jackie Messer about some roadwork options.

#### **SEWER**

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

PWS Jim Johnson brought to the attention of the Council some bare grass areas at the Sewer lagoons. The berm needs some rock. The heavy rain has been rough on the banks of the lagoons.

## **PARK-**

PWS Jim Johnson stated Mike Page has ordered the lights for Bittaker park and will install upon receipt.

## **CEMETERY –**

PWS Johnson said the transition of employees at the cemetery went smooth. The PWS team helped get the cemetery caught up due to the heavy rains.

## **PUBLIC SAFETY -NONE**

## **COMMUNITY BUILDING**

Still waiting on the doors

## **EMPLOYEE RELATIONS & TRAINING - NONE**

## **SPECIAL COMMITTEE REPORTS:**

### **EMERGENCY MANAGEMENT –NONE**

### **SWANFEST COMMITTEE -NONE**

## **UNFINISHED BUSINESS:**

### **KMEA PRE-PAY PROJECT AGREEMENT-NO UPDATE AT THIS TIME.**

### **FUTURE VERIZON TOWER LOCATION:**

CC Wade reviewed the deed for the property and meeting minutes for the original purchase of the property south of the School Bus Barn that M.R. Hudson sold to the City of La Cygne. There were no attachments to the deed so the lot can be used for anything the City choses. The Council advised CC Wade to inform Verizon Wireless the lot is available as an option for a cell tower.

### **GRANDVIEW ADDITION REVIEW OF THE DEEDS BY CITY ATTORNEY BURTON HARDING**

City Attorney-Interim Burton Harding reviewed the deeds for lot 1-10 of the Grandview addition and they all showed legal description for the alley in between the homes. Burton will do some research on the obligation of service for the building of a road and determine the sequence for acceptance of the addition/alley and future road.

### **UPDATED LETTER TO THE OWNER AT 614 CHESTNUT ST REGARDING THE SEWER REPAIR**

City Attorney Harding asked PWS Johnson to explain the repair and the current state of the main sewer line. PWS Johnson stated the service trap dropped through the main sewer line (due to bad tap). The city did a temporary repair (Saddle piece/concrete around tap to temporarily hold the service line in the proper position). The hole was covered back up and cones are around the dig site. The hole has sunk some. Council suggested to send the letter with a necessary response in 30 days. PWS Johnson did verify that the homeowner is responsible for the tap.

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

## **NEW BUSINESS:**

### **ORDINANCE NO. SIGN REGULATIONS, ARTICLE 27, SECTION 27-3 GENERAL STANDARDS**

City Attorney Harding reviewed some minor adjustments of wording in the ordinance which were contradicting. The Council had no further questions or concerns with the changes to defining flashing signs.

#### **❖ Motion**

**Council Member Mitzner motioned to approve Ordinance No. 1462 after the corrections had been made by City Clerk Wade and approved by City Attorney Harding. Motion seconded by Council Member Stoker, voted on, passed 5-0.**

### **WATER TOWER MAINTENANCE AGREEMENTS FROM SUEZ AND MAGUIRE IRON**

The Council reviewed proposals from Suez (Utility Service CO) and Maguire Iron. PWS Johnson has been pleased with the work performed by Suez over the past several years. Discussion was held on proposed pricing.

#### **❖ Motion**

**Council Member Mitzner motioned to accept the maintenance agreement proposal from Suez for the new water tower. Motion seconded by Council Member Stoker, voted on, passed 5-0.**

## **EXECUTIVE SESSION:**

#### **❖ Motion**

**Council Member Shields moved to go into executive session for 5 minutes following a 5-minute break for preliminary discussion of the acquisition of real property. Motion seconded by Council Member Curtis, voted on, passed 5-0. Time 8:44pm**

Others in attendance included, but not limited to: City Attorney-Interim Burton Harding.

## **Open Session Resumed at 8:54p.m.**

## **OTHER BUSINESS:**

None

## **NOTES AND COMMUNICATIONS TO COUNCIL:**

None

## **ADJOURNMENT:**

#### **❖ Motion**

**Council Member Curtis moved to adjourn the meeting. Motion seconded by Council Member Stoker, voted on, passed 5-0. Time 8:55 pm.**

**Record of the Proceedings of the Governing Body  
2019 MEETING MINUTES**

I, \_\_\_\_\_ La Cygne City Clerk, do hereby declare  
(Jodi Wade) the above to be true and correct, to the  
best of my knowledge, and do hereby  
subscribe my name on this 3<sup>rd</sup> of July 2019.

**REGULAR MEETING:**

The La Cygne City Council met on Wednesday, July 17, 2019 at La Cygne City Hall. Council Members present were: Danny Curtis; Esther Shields; Keith Stoker; Jerome Mitzner and James Thies.

Others in attendance included, but not limited to: City Clerk Jodi Wade; Public Works Superintendent Jim Johnson; Corporal Kurtis West; City Attorney-Interim Burton Harding; Linn County News Tony Furse; Deb Wilson.

**CALL REGULAR MEETING TO ORDER (7:00 P.M.)**

Pledge of Allegiance – Jim Johnson

**MAYOR'S COMMENTS:**

**LA CYGNE POOL**

Mayor Sullivan inquired if the City Pool was back in operation. City Clerk Wade advised the Council the VFD was repaired and the pool opened back up on July 11, 2019.

**CONSENT AGENDA:**

**❖ Motion to approve Consent Agenda:**

**Council Member Shields motioned to accept the Consent Agenda as presented:**

Minutes of July 3, 2019 City Council Meeting  
June 2019 Budget Report  
June 2019 Treasurer's Report  
2<sup>nd</sup> Quarter 2019 Financial Statement  
Check Register: July 4 – July 17, 2019

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

**DISCUSSION FROM THE FLOOR:**

**JAMES THIES-SEWER ISSUES WITH HIS BASEMENT**

James Thies explained the situation which occurred in his refinished basement the last few times we have had heavy rains this year. The sewer is backing up the lines and creating a "fountain" in his toilet/shower. James has had to dry out the flooring and drywall. He



# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

discussed a couple of options to install a "check-valve/backflow preventor" on his service line either in the line under the floor of the basement or outside on the service line which is 12'—15' down in the ground. James asked the Council if the city would be willing to help with some of the cost for installing the check valve. Discussion was held regarding other home owners in town who have already performed the installation of check valves on their service lines at their own expense without assistance from the city. Council members asked James to bring in estimates for the work to be performed for the council to review. Council member Stoker made the point that any decision the Council makes in regards to this matter sets a precedence for others with the same problem from here forward.

## **SPECIAL PROJECTS:**

~~Report by Paul Owings with BG Consultants~~

**Report from Public Works Superintendent (PWS) – Jim Johnson**

### **WATER DISTRIBUTION LINE-**

An email was received from Kenny Orr indicating 200-meter lids were currently in stock from the vendor and they would begin installation of lids around the 3<sup>rd</sup> week of July, weather permitting. Upon receipt of the remaining lids, their crew would complete the installation of the new lids and the punch list items. City Clerk Wade sent an email to Orr-Wyatt regarding the punch list items. Kenny Orr indicated the items listed on the punch list they were given would be addressed while they are in town.

Public Works Superintendent (PWS) Johnson told the Council he had told Orr-Wyatt prior to completion of the meters being installed to not put the foam insulation discs in the meter pits. Due to the weather and the issues with the meters, PWS Johnson felt it was best to wait.

### **WATER TREATMENT PLANT PAY APPLICATION #3 FROM SHELLEY ELECTRIC IN THE AMOUNT OF \$36,189.45 -**

CC Wade informed the Council that Shelley has kept to the schedule and is making good progress so far. Eric Heathcoat, BG Consultants should have a list for us at the next construction meeting to review for possible alternates. Completion date of October is still in order unless one of the alternates selected should require some pre-order of material.

#### **❖ Motion**

**Council Member Mitzner motioned to approve pay application No 3 from Shelley Electric for the water treatment plant improvements in the amount of \$36,189.45. Motion seconded by Council Member Stoker, voted on, passed 5-0.**

### **SEWER PROJECT-RUTS TO THE WEST OF THE FIRE STATION**

PWS Johnson spoke to ACE Pipe cleaning who was to come down and fix the ruts. They had planned to come the first week of July but the rains delayed the visit. Ace is staying in contact with PWS Johnson and will attempt to come down in the next week or two.

### **STREET PROJECT – KDOT CCLIP APPLICATION**

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

CC Wade updated the Council on the meeting which took place with the business owners located on Hwy 152 near Industrial Road. BG Consultant, Jason Hodgkinson, will follow up with some price options for temporary roads. CC Wade emailed the Concept drawing to all those who attended.

## **REPORTS OF CITY OFFICERS:**

### **CITY ATTORNEY – BURTON HARDING**

City Attorney Burton Harding reviewed the Grandview Addition lot split and road dedication. Upon reviewing the statues regarding streets and the proposed survey, City Attorney Harding advised the Council to handle the two issues by separate motion. City Attorney Harding said it would keep all the paperwork clean and orderly.

#### **❖ Motion**

**Council Member Mitzner motioned to do separate motions for the Grandview Lot Split and the Street Dedication. Motion seconded by Council Member Stoker, voted on, passed 5-0.**

## **REPORTS OF CITY OFFICERS CONT:**

### **POLICE & CODES OFFICER – KURTIS WEST - NONE**

### **PUBLIC WORKS DEPARTMENT – PUBLIC WORKS SUPERINTENDENT (PWS) JIM JOHNSON**

- PWS Johnson informed the Council that the Basketball lights were installed at Bittaker Park (\*-mile).
- (2) Gas meters had been hit this week.
- A main located at 7<sup>th</sup> & Sycamore will be dug up to determine the cause of a leak. This leak has been going on since the City switched over to the new system. The water has tested positive for Chlorine. PWS Johnson thinks the leaking is from an old 2" main that had not been capped off but instead the valve was used to shut off the line. PWS Johnson will keep track of his time and equipment use.

### **FIRE DEPARTMENT – FIRE CHIEF DAN NASALROAD – NOT IN ATTENDANCE**

### **CITY CLERK (CC) – JODI WADE -**

- CC Wade reminded the Council about the vacancy in Public Works that would be happening sometime the end of September and inquired if she needed to be advertising for the position.
- The Mayor and Council need to review the RFP's submitted by the Attorney's for the City Attorney position. We need to make an appointment.
- CC Wade gave the Council a copy of a new report generated by Gworks (accounting/utility software) which shows all the move ins/move outs for a month.
- CC Wade reviewed a report for the Budget Pay program (Level Pay) for utilities showing how much credits and debits were remaining on accounts. At this time, the City of La Cygne does not have a formal write up for the Budget Pay program for utilities. Utility Clerk Gore will create a draft which will help line out the program.

## **COUNCIL COMMITTEE REPORTS:**

### **WATER & GAS –NONE**

### **STREET –NONE**

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

**SEWER-NONE**

**PARK-NONE**

**CEMETERY -NONE**

**PUBLIC SAFETY -NONE**

**COMMUNITY BUILDING-NONE**

**EMPLOYEE RELATIONS & TRAINING - NONE**

## **SPECIAL COMMITTEE REPORTS:**

**EMERGENCY MANAGEMENT -NONE**

**SWANFEST COMMITTEE -NONE**

## **UNFINISHED BUSINESS:**

**KMEA PRE-PAY PROJECT AGREEMENT-NO UPDATE AT THIS TIME.**

### **FUTURE VERIZON TOWER LOCATION:**

CC Wade informed the Council that Verizon would be in town on July 23<sup>rd</sup> to visit the site at the end of 5<sup>th</sup> Street.

## **UNFINISHED BUSINESS CONT:**

**GRANDVIEW ADDITION REVIEW OF THE DEEDS BY CITY ATTORNEY BURTON HARDING**

Reviewed during Reports of Officers.

## **NEW BUSINESS:**

### **2020 BUDGET 2<sup>ND</sup> DRAFT REVIEW (PACKET AT THE TABLE)**

CC Wade informed the Council of the changes made to the General Fund and to the Transfers following the Budget Workshop held on July 10<sup>th</sup>. No further questions were asked except Council Member Shields stated a need to go in to Executive Session before a motion could be made to publish the 2020 Budget.

## **EXECUTIVE SESSION:**

### **❖ Motion**

**Council Member Shields moved to go into executive session for 10 minutes following a 5-minute break for preliminary discussion of the acquisition of real property. Motion seconded by Council Member Stoker, voted on, passed 5-0. Time 8:50pm**

Others in attendance included, but not limited to: City Attorney-Interim Burton Harding and City Clerk Wade.

**Open Session Resumed at 9:05p.m.**

## **OTHER BUSINESS:**

# Record of the Proceedings of the Governing Body 2019 MEETING MINUTES

❖ **Motion**

**Council Member Mitzner motioned for a Special Council meeting July 24<sup>th</sup> at the City Hall at 7pm to review the 2020 Budget. Motion seconded by Council Member Curtis, voted on, passed 5-0.**

**NOTES AND COMMUNICATIONS TO COUNCIL:**

None

**ADJOURNMENT:**

❖ **Motion**

**Council Member Curtis moved to adjourn the meeting. Motion seconded by Council Member Stoker, voted on, passed 5-0. Time 9:21 pm.**

I, \_\_\_\_\_ La Cygne City Clerk, do hereby declare  
(Jodi Wade) the above to be true and correct, to the  
best of my knowledge, and do hereby  
subscribe my name on this 17<sup>th</sup> of July 2019.

**SPECIAL MEETING:**

The La Cygne City Council met for a Special Meeting on Wednesday, July 24, 2019 at La Cygne City Hall. Council Members present were: Danny Curtis; Esther Shields; Jerome Mitzner; James Thies; Absent – Keith Stoker.

Others in attendance included, but not limited to: City Clerk Jodi Wade

Mayor Robert Sullivan called the special meeting to order at 7:00 p.m.

**The Purpose of the Special Meeting was called for:**

❖ **REVIEW OF 2020 BUDGET**

City Clerk (CC) Wade reviewed the adjustments to the 2<sup>nd</sup> Draft of the 2020 budget with the Council members. CC Wade reduced the amount of the Capital Outlay for the General Fund; General Government (10) for 2019 by \$10,000 and added \$15,000 to the General Fund; Oaklawn Cemetery (14) Capital Outlay. For the 2020 proposed budget, CC Wade decreased the General Fund; General Government (10) Capital Outlay an amount of \$5,000. Discussion was held in regards to the changes.

❖ **Motion**

**Council Member Mitzner motioned to publish notice in the newspaper on July 31<sup>st</sup> for a Public Hearing to be held on August 12, 2019 at 7:00pm at the La Cygne City**

**Record of the Proceedings of the Governing Body  
2019 MEETING MINUTES**

**Hall for the 2020 Budget. Motion seconded by Council Member Thies, voted on, passed 4-0.**

**ADJOURNMENT:**

**❖ Motion**

**Council Member Mitzner moved to adjourn the meeting. Motion seconded by Council Member Curtis, voted on, passed 4-0. Time 7:19 pm.**

I, \_\_\_\_\_ La Cygne City Clerk, do hereby declare  
(Jodi Wade) the above to be true and correct, to the  
best of my knowledge, and do hereby  
subscribe my name this 24<sup>th</sup> day of July 2019.

**REGULAR MEETING:**

The La Cygne City Council met on Wednesday, Aug 7, 2019 at La Cygne City Hall. Council Members present were: Danny Curtis; Esther Shields; Keith Stoker; and James Thies. Absent- Jerome Mitzner.

Others in attendance included, but not limited to: City Clerk Jodi Wade; Public Works Superintendent Jim Johnson; Corporal Kurtis West; City Attorney-Interim Burton Harding; Linn County News Tony Furse.

**CALL REGULAR MEETING TO ORDER (7:00 P.M.)**

Pledge of Allegiance – Corporal Kurtis West

**MAYOR’S COMMENTS:**

**LA CYGNE SCHOOL STARTING**

Mayor Sullivan reminded patrons to be cautious of students walking to and from school and to watch their speed through the school zone.

**LA CYGNE POOL**

Mayor Sullivan reminded patrons of the pool closing this Saturday, August 10.

**CONSENT AGENDA:**

**❖ Motion to approve Consent Agenda:**

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

**Council Member Shields motioned to accept the Consent Agenda as presented:**

Minutes of July 17, 2019 City Council Meeting  
Minutes of July 24, 2019 Special Council Meeting  
Check Register: July 18 – Aug 7, 2019

**Motion seconded by Council Member Stoker, voted on, passed 4-0.**

## **DISCUSSION FROM THE FLOOR:**

NONE

## **SPECIAL PROJECTS:**

**Report from Public Works Superintendent (PWS) – Jim Johnson**

### **WATER DISTRIBUTION LINE-**

An email was received from Kenny Orr indicating Orr-Wyatt would be in town August 8<sup>th</sup> and 9<sup>th</sup> to change out the meter lids and to complete the punch list. It rained today but we have not heard from Kenny if the schedule has changed.

### **WATER TREATMENT PLANT**

PWS Johnson reviewed the current situation with the Water Plant. It is being operated manually while the operators and electrician attempt to find what is not working properly in the automatic system. It's possible that the plant was struck by lightning and it affected a link in the system. PWS reassured the Mayor and Council the levels were in balance for the water.

## **SPECIAL PROJECTS CONT:**

### **WATER TREATMENT PLANT**

CC Wade informed the Council that Shelley Electric wanted to schedule the automatic transfer switch change out for Wednesday August 21.

### **SEWER PROJECT-RUTS TO THE WEST OF THE FIRE STATION**

PWS Johnson informed the Council of ACE Pipe cleaning performing the work on the ruts at the Fire Station. Discussion was held on whether the work was completed as specified.

#### **❖ Motion**

**Council Member Stoker motioned release the retainage to Ace Pipe Cleaning in the amount \$1926.50. Motion seconded by Council Member Thies, voted on, passed 4-0.**

### **STREET PROJECT – KDOT CCLIP APPLICATION**

CC Wade updated the Council on a possible meeting of the Hospital Board and BG Consultant Jason Hoskinson to answer some final questions regarding the use of the Hospital Board lot.

## **REPORTS OF CITY OFFICERS:**

**CITY ATTORNEY –BURTON HARDING**

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

City Attorney Burton Harding reviewed the road dedication in regards to the Grandview Addition. He confirmed his prior statements about the responsibility of the City to maintain a safe roadway access to the homes. The City is not committing to building a street or paving the existing access, they are accepting the dedication of land from the property owner.

City Attorney Burton Harding reviewed the Verizon Right of Entry Form. His recommendation was to ask Verizon to add a line to the form indicating the City of La Cygne was not liable for injury if a Verizon worker was to get hurt. CC Wade will respond to Verizon and bring the form to the next meeting.

## **POLICE & CODES OFFICER – KURTIS WEST**

Corporal West updated the Council on dog tags, 1 citation, and working on reports.

## **PUBLIC WORKS DEPARTMENT – PUBLIC WORKS SUPERINTENDENT (PWS) JIM JOHNSON**

- East Lift station ATS Controller was replaced. It was struck by lightning. Clifford Power submitted a quote for \$4,625.67. It was necessary to repair the part for proper operation of the station.
- A 2" Gas main was hit by a backhoe this week. Utility markings were performed but the tracer wire for this pipe was not properly placed so it was missed in the marking. City made the repairs.
- City crew has been trimming the limbs along the bus routes.
- The snow plow and spreader need attention. City crew is working on both but PWS Johnson suggested the City should consider purchasing replacements. Council Member Stoker asked PWS Johnson to bring in some quotes.

## **FIRE DEPARTMENT – FIRE CHIEF DAN NASALROAD – NONE CITY CLERK (CC) – JODI WADE -**

- CC Wade reviewed the Collection submissions for 2019 to include; \$5266 to County Tax Role, \$7354 to Collection Bureau, \$426.61 5-yr Collection and \$91.34 3-yr Collection.

## **REPORTS OF CITY OFFICERS CONT:**

- KS Association for Court Management 2019 Fall Conference. Court Clerk Gore to attend. \$100 registration fee, \$109/night Hotel.

### **❖ Motion**

**Council Member Stoker motioned to send Court Clerk Connie Gore to the KS Association for Court Management Conference Sept 26-27 and approve the \$100 registration fee and \$109/night hotel fee. Motion seconded by Council Member Thies, voted on, passed 4-0.**

- 2019 Kansas Pipeline Safety Seminar, Nov 6 & 7, Manhattan, KS. Hotel costs for (2) rooms for (2) nights \$512.38. Utility Clerk Connie Gore and Gas operator Codee Blanchett would like to attend.

### **❖ Motion**

**Council Member Curtis motioned to approve hotel rooms for Utility Clerk Connie Gore and operator Codee Blanchett at the KS Pipeline Safety Seminar**

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

**Sept 26-27 at the rate of \$512.38. Motion seconded by Council Member Stoker, voted on, passed 4-0.**

- CC Wade informed the Council about Utility Clerk Gore reviewing the Water, Gas, Sewer and Solid Waste Articles in the Code Book. She will create a draft to be reviewed. City Attorney Burton Harding suggested to send him the drafts to review prior to submitting to the Council for review.
- CC Wade is working on some Pay Scale scenarios for the City Employees. She hopes to present to the City Council in the next few months.

## **COUNCIL COMMITTEE REPORTS:**

**WATER & GAS -NONE**

**STREET -NONE**

**SEWER-NONE**

**PARK-** Mayor Sullivan asked if the lights were working well at the Bitaker Park. PWS Johnson said a few minor adjustments were made on the timing but they were working well. Mayor Sullivan commented on the bridge at the La Cygne Community Park. Council Member Curtis informed the Council of the contribution made by Lincoln Township to get the bridge set, additional parking pad poured and an apron in the front of the new Maintenance Shed. Council Member Curtis personally thanked the Lincoln Township for their contribution.

**CEMETERY -NONE**

**PUBLIC SAFETY -NONE**

**COMMUNITY BUILDING-NONE**

**EMPLOYEE RELATIONS & TRAINING - NONE**

## **SPECIAL COMMITTEE REPORTS:**

**EMERGENCY MANAGEMENT -NONE**

**SWANFEST COMMITTEE -NONE**

## **UNFINISHED BUSINESS:**

**KMEA PRE-PAY PROJECT AGREEMENT-NO UPDATE AT THIS TIME.**

**FUTURE VERIZON TOWER LOCATION:**

CC Wade will follow up with Verizon regarding the Right of Entry form.

## **NEW BUSINESS:**

**UPDATE ON RFP'S FOR CITY ATTORNEY POSITION**

Council Member Curtis suggested a workshop for reviewing the RFP's received for the City Attorney position. Mayor Sullivan called for a workshop on Wednesday, August 21<sup>st</sup> at 6:00pm to review the RFP's received for the City Attorney position.

## **EXECUTIVE SESSION:**



# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

❖ **Motion**

**Council Member Shields moved to go into executive session for 15 minutes following a 5-minute break for preliminary discussion of the acquisition of real property. Motion seconded by Council Member Curtis voted on, passed 4-0. Time 7:44pm**

Others in attendance included, but not limited to: City Attorney-Interim Burton Harding and City Clerk Wade.

**Open Session Resumed at 8:05 p.m.**

**OTHER BUSINESS:**

❖ **Motion**

**Council Member Shields motioned for the expenditure of up to \$12,500 for the acquisition of real property contingent upon the modification and approval of the contract by both the City Council and the seller of the property. Motion seconded by Council Member Stoker, voted on, passed 4-0.**

**EXECUTIVE SESSION:**

❖ **Motion**

**Council Member Curtis moved to go into executive session for 10 minutes for non-elected personnel. Motion seconded by Council Member Stoker voted on, passed 4-0. Time 8:08 pm**

**Open Session Resumed at 8:19 p.m.**

**OTHER BUSINESS:**

❖ **Motion**

**Council Member Curtis motioned to advertise for the Public Works Superintendent position. Motion seconded by Council Member Stoker, voted on, passed 4-0.**

**OTHER BUSINESS CONT:**

Council Member Shields announced her resignation from the City Council effective at this time. Council Member Shields read a beautiful letter to the City expressing her love for the City of La Cygne.

❖ **Motion**

**Council Member Curtis motioned to accept Esther Shields resignation and thanked her for all of her years of service. Motion seconded by Council Member Stoker, voted on, passed 3-0.**

# Record of the Proceedings of the Governing Body 2019 MEETING MINUTES

## **NOTES AND COMMUNICATIONS TO COUNCIL:**

**PUBLIC HEARING FOR BUDGET, AUGUST 12, 2019 AT 7PM AT THE LA CYGNE CITY HALL**

### **ADJOURNMENT:**

#### **❖ Motion**

**Council Member Curtis moved to adjourn the meeting. Motion seconded by Council Member Stoker, voted on, passed 3-0. Time 8:22 pm.**

I, \_\_\_\_\_ La Cygne City Clerk, do hereby declare  
(Jodi Wade) the above to be true and correct, to the  
best of my knowledge, and do hereby  
subscribe my name on this 7<sup>th</sup> of August  
2019.

### **SPECIAL MEETING:**

The La Cygne City Council met for a Special Meeting on Monday, August 12, 2019 at La Cygne City Hall. Council Members present were: Danny Curtis; Jerome Mitzner; James Thies; and Keith Stoker.

Others in attendance included, but not limited to: City Clerk Jodi Wade

Mayor Robert Sullivan called the Public Hearing to order at 7:25 p.m.

#### **The Purpose of the Special Meeting was called for:**

#### **❖ PUBLIC HEARING FOR THE 2020 BUDGET**

City Clerk (CC) Wade and the Council reviewed the Final Draft of the 2020 Budget. The Council reviewed the expected expenditures for 2020. Discussion was held on observing the assessed valuation of La Cygne and the Sales tax levies for 2020 and the years to come. CC Wade advised the Council on training and workshops for various programs such as Condemnation, Neighborhood Revitalization, CDBG Grants and Land Banks that could be helpful for cleaning up some the vacant/abandoned homes. She also suggested to look at ways to improve the opportunity for businesses in La Cygne. Discussion was also held regarding further annexation.

#### **❖ Motion**

**Council Member Mitzner motioned to approve the 2020 Budget as presented and published in the newspaper. Motion seconded by Council Member Stoker voted on, passed 4-0.**

**Record of the Proceedings of the Governing Body  
2019 MEETING MINUTES**

**ADJOURNMENT:**

**❖ Motion**

**Council Member Curtis moved to adjourn the meeting. Motion seconded by Council Member Mitzner voted on, passed 4-0. Time 7:44 pm.**

I, \_\_\_\_\_ La Cygne City Clerk, do hereby declare  
(Jodi Wade) the above to be true and correct, to the  
best of my knowledge, and do hereby  
subscribe my name this 12<sup>th</sup> day of August  
2019.

**REGULAR MEETING:**

The La Cygne City Council met on Wednesday, August 21, 2019 at La Cygne City Hall. Council Members present were: Danny Curtis; Keith Stoker; and Jerome Mitzner. Absent - James Thies.

Others in attendance included, but not limited to: City Clerk Jodi Wade; Public Works Superintendent Jim Johnson; City Attorney-Interim Burton Harding; Linn County News Tony Furse.

**CALL REGULAR MEETING TO ORDER (7:00 P.M.)**

Pledge of Allegiance – Dan Nasalroad

**MAYOR’S COMMENTS:**

**AREA-WIDE GARAGE SALES**

Mayor Sullivan reminded patrons about area-wide garage sales August 30 – Sept 1 sponsored by the La Cygne Chamber of Commerce.

**CONSENT AGENDA:**

**❖ Motion to approve Consent Agenda:**

**Council Member Mitzner motioned to accept the Consent Agenda as presented:**

Minutes of August 7, 2019 City Council Meeting  
Minutes of August 12, 2019 Public Hearing for Budget  
July 2019 Budget Report  
July 2019 Treasurer’s Report  
Check Register: Aug 8 – Aug 21, 2019

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

**Motion seconded by Council Member Stoker, voted on, passed 3-0.**

## **DISCUSSION FROM THE FLOOR:**

### **SCOTT FRIEND-614 CHESTNUT-SEWER TAP REPAIR UPDATE**

Scott explained the situation at 614 Chestnut. The sewer line backed up due to roots getting trapped on his service line that had fallen in to the main. A contractor performed a temporary repair while both the city Public Works and Mayor Sullivan were present. The contractor did not return to do a permanent repair. A boot was put on the line and concrete placed around the service line in order to hold it in place due to the small crack in the main. The city had reviewed CCTV from years ago which showed the service line protruding in to the main. Scott asked the City if the line would be repaired in the upcoming sewer project. Council Member Stoker asked Public Works to review the current CCTV that was performed 6 months ago to see what the status was of the service tap. The council will make a decision upon reviewing the CCTV and follow up with Scott Friend. Discussion was held on the depth of the sewer line.

## **SPECIAL PROJECTS:**

**~~Report by Paul Owings with BG Consultants~~**

**Report from Public Works Superintendent (PWS) – Jim Johnson**

### **WATER DISTRIBUTION LINE-**

PWS Johnson said Orr-Wyatt arrived on Monday, August 19 with a (2) man crew to start changing out the meter lids. After the first half day of work, PWS Johnson felt it was in the best interest of the city to have one of our Public Works operators travel with the crew to make sure meter pits were not missed and to mark down addresses of vacant pits.

### **WATER TOWER**

An inspection of the new tower was completed on Friday, August 16. Suez removed several 5-gallon buckets of sand from the line from when the tower had been blasted during construction. The inspection report should be received soon.

### **WATER TREATMENT PLANT**

PWS Johnson said the Generac control panel was changed out today. A progress meeting is scheduled for tomorrow, August 22, with BG Consultants and Shelley Electric. The project is moving along well and staying within schedule. Mayor Sullivan inquired about the Bulk Water valve. CC Wade said it should arrive near the end of the month and hopefully be in operation by the first part of September.

### **SEWER PROJECT**

The Notice of Eligibility was received from USDA. The Legal Service agreement and contract with BG Consultants have been received and given to City Attorney Burton Harding for review. Upon review, all forms will be emailed back to USDA.

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

## **STREET PROJECT – KDOT CCLIP APPLICATION**

CC Wade informed the Council Members about a meeting scheduled for Monday, August 26 at 7pm at the La Cygne City Hall. BG Consultant, Jason Hoskins, will be meeting with the Hospital board to review the street location and lot.

## **REPORTS OF CITY OFFICERS:**

### **CITY ATTORNEY –BURTON HARDING**

City Attorney Burton Harding is reviewing the contract agreement received from KMGa for the pre-pay project and the Legal Service Agreement from USDA. Council members inquired about the status on the Grandview road dedication. Mayor Sullivan asked CC Wade to contact the deeds office and/or mapping to produce paperwork to go with the dedication indicating the legal description.

**POLICE & CODES OFFICER –** Corporal West was not present

### **PUBLIC WORKS DEPARTMENT – PUBLIC WORKS SUPERINTENDENT (PWS) JIM JOHNSON**

- PWS Johnson expressed concern to the Council regarding the strain on our equipment from mowing the areas that have received code letters. Suggested reviewing the codes and fines to see if they need to be altered or updated to help with the cost of performing the work. The work this past week cost the city \$685 in repairs to the equipment.
- PWS Johnson asked the Council to review the code for tree trimming. The past week, the Public works crew trimmed all limbs along the bus routes. A question regarding who's responsible for trimming the limbs hanging out in the road when the tree sets on personal property. City Attorney Harding read the codes out loud to the Council which he felt were

## **REPORTS OF CITY OFFICERS CONT:**

- contradictory. Discussion was held regarding the Codes Officer reviewing the fines and penalties.
- The Basketball lights were adjusted again at Bitaker Park.

**FIRE DEPARTMENT – FIRE CHIEF DAN NASALROAD –** Chief Nasalroad reminded patrons about students walking to and from school. We had a few near misses this week when students crossed the roads. Please be sure to slow for students and stop at crosswalks.

### **CITY CLERK (CC) – JODI WADE -**

- CC Wade explained the GIS Mapping programs for Utilities. This is becoming a more common trend for utility maps. Costs can run from \$5000 - \$15,000. Council Member Mitzner advised CC Wade to contact the county Mapping department and see if they have programs or software that could be utilized by the cities.

## **COUNCIL COMMITTEE REPORTS:**

**WATER & GAS –NONE**

**STREET –NONE**

**SEWER-NONE**

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

**PARK-NONE**

**CEMETERY –NONE**

**PUBLIC SAFETY -NONE**

**COMMUNITY BUILDING-NONE**

**EMPLOYEE RELATIONS & TRAINING - NONE**

## **SPECIAL COMMITTEE REPORTS:**

**EMERGENCY MANAGEMENT –NONE**

**SWANFEST COMMITTEE -NONE**

**PLANNING & ZONING COMMITTEE -**

Mayor Sullivan asked CC Wade to advertise for the vacant seats available.

## **UNFINISHED BUSINESS:**

**KMEA PRE-PAY PROJECT AGREEMENT-**

The Pre-pay Participation agreement was received on 8-19-19. A copy was emailed to City Attorney Harding for review.

**FUTURE VERIZON TOWER LOCATION:**

The "Right of Entry" form was returned to Verizon with additional information added by City Attorney Burton Harding. Verizon's legal department is reviewing the form.

**ACQUISITION OF REAL PROPERTY REVISED CONTRACT**

CC Wade emailed to the realtor a copy of the contract that had been reviewed and revised by City Attorney Burton Harding. A preliminary Title search has been completed. Council Member Stoker asked CC Wade to get estimates for demolition and excavation.

## **UNFINISHED BUSINESS CONT:**

**RFP'S FOR CITY ATTORNEY LEGAL SERVICES**

Request for Proposals received for Legal services had been reviewed at a Council Workshop held on August 21 at 6:00pm. Mayor Sullivan recommended Burton Harding with Harding Law Firm LLC for the position of La Cygne City Attorney.

### **❖ Motion**

**Council Member Mitzner motioned to appoint Burton Harding as the City Attorney for the City of La Cygne. Motion seconded by Council Member Stoker, voted on, passed 3-0.**

## **NEW BUSINESS:**

**LEAGUE OF KANSAS VOTING DELEGATES**

### **❖ Motion**

**Council Member Mitzner motioned to approve Mayor Sullivan as the voting delegate and City Clerk Wade as the alternate voting delegate for the**

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

**League of Municipalities. Motion seconded by Council Member Stoker, voted on, passed 3-0.**

## **LEAGUE OF KANSAS 2019 ANNUAL CONFERENCE OCT 12-14 IN OVERLAND PARK, KS**

Mayor Sullivan would like to attend the League conference in Overland Park.

### **❖ Motion**

**Council Member Stoker moved to send Mayor Sullivan to the League of Municipalities conference in Overland Park on Oct 12-14 in the amount of \$235 for City official. Motion seconded by Council Member Curtis, voted on, passed 3-0.**

## **PLANNING & ZONING FOR CITIES MTI CLASS, SEPT 13 IN WINFIELD**

City Treasurer Connie Gore would like to attend the Municipal Training Institute course for Planning & Zoning. This course is open to member of the City, Council and Planning & Zoning commission.

### **❖ Motion**

**Council Member Mitzner motioned to send Connie Gore to the Planning & Zoning MTI class on Sept 13 in Winfield and to attempt to get one of the Planning & Zoning members to attend also. Motion seconded by Council Member Curtis, voted on, passed 3-0.**

## **NEW BUSINESS CONT:**

### **KANSAS IIMC CERTIFICATION INSTITUTE, NOVEMBER 11-15 IN WICHITA**

CC Wade explained to the Council that only one of the Clerks can go at a time to institute. This will be the 3<sup>rd</sup> year for Connie Gore and is an important year to complete. CC Wade will attend in the Fall of 2020.

### **❖ Motion**

**Council Member Mitzner motioned to send Connie Gore to IIMC institute November 11-15 in Wichita for \$485 registration and a total of \$540 for hotel. Motion seconded by Council Member Stoker voted on, passed 3-0.**

### **LA CYGNE PUBLIC BUILDING COMMISSION ANNUAL RENEWAL OF MEMBERS**

CC Wade explained to the Council which members have moved out of town or have asked to resign from the Public Building Commission. CC Wade explained what the Public Building

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

Commission was and the authority they have for Municipal and community improvement projects.

❖ **Motion**

**Council Member Curtis motioned to accept the resignation of Charlie Moore and Roger Wade from the Public Building Commission effective August 21, 2019. Motion seconded by Council Member Stoker voted on, passed 3-0.**

Mayor Sullivan recommended to appoint Diane Stainbrook and Robert Blanck to the Public Building Commission for another term.

❖ **Motion**

**Council Member Stoker motioned to appoint Diane Stainbrook and Robert Blanck for another term on the Public Building Commission. Motion seconded by Council Member Mitzner voted on, passed 3-0.**

Mayor Sullivan recommended to appoint John Dowty and Mathew Boyd to the Public Building Commission.

❖ **Motion**

**Council Member Mitzner motioned to appoint John Dowty and Mathew Boyd to the Public Building Commission. Motion seconded by Council Member Curtis voted on, passed 3-0.**

## **EXECUTIVE SESSION:**

❖ **Motion**

**Council Member Mitzner moved to go into executive session for 5 minutes following a 5-minute break for preliminary discussion of the acquisition of real property. Motion seconded by Council Member Stoker, voted on, passed 3-0. Time 8:27pm**

Others in attendance included, but not limited to: City Attorney-Interim Burton Harding.

## **Open Session Resumed at 8:38p.m.**

## **OTHER BUSINESS**

❖ **Motion**

**Council Member Curtis moved to go into executive session for 5 minutes for non- elected personnel for an individual employee's performance. Motion seconded by Council Member Stoker voted on, passed 3-0. Time 8:42pm**

Others in attendance included, but not limited to: City Attorney Burton Harding and Public Works Superintendent Jim Johnson.

## **Open Session Resumed at 8:47pm**

❖ **Motion**



**Record of the Proceedings of the Governing Body  
2019 MEETING MINUTES**

**Council Member Mitzner moved to extend the session for 15-minutes for non-elected personnel for an individual employee's performance. Motion seconded by Council Member Stoker voted on, passed 3-0. Time 8:53pm**

**Open Session Resumed at 9:08pm**

**❖ Motion**

**Council Member Mitzner moved to extend the session for 15 minutes for non-elected personnel for an individual employee's performance and invited City Clerk Wade. Motion seconded by Council Member Stoker voted on, passed 3-0. Time 9:08pm**

**Open Session Resumed at 9:23pm**

**NOTES AND COMMUNICATIONS TO COUNCIL:**

None

**ADJOURNMENT:**

**❖ Motion**

**Council Member Stoker moved to adjourn the meeting. Motion seconded by Council Member Curtis, voted on, passed 3-0. Time 9:24 pm.**

I, \_\_\_\_\_ La Cygne City Clerk, do hereby declare  
(Jodi Wade) the above to be true and correct, to the  
best of my knowledge, and do hereby  
subscribe my name on this 21<sup>st</sup> of August  
2019.

**REGULAR MEETING:**

The La Cygne City Council met on Wednesday, September 4, 2019 at La Cygne City Hall. Council Members present were: Danny Curtis; Keith Stoker; and Jerome Mitzner; and James Thies.

Others in attendance included, but not limited to: City Clerk Jodi Wade; Public Works Superintendent Jim Johnson; City Attorney-Interim Burton Harding; Linn County News Tony Furse; Fire Chief Dan Nasalroad; Police Chief Tate West; Corporal Kurtis West; Public Works Operator Codee Blanchett; Public Works Operator Jeff Chaplin; Deb and Emil Wilson; Renee Slinkard.

**CALL REGULAR MEETING TO ORDER (7:00 P.M.)**

Pledge of Allegiance – Jim Johnson

**MAYOR'S COMMENTS:**

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

## **SCHOOL ZONE SAFETY**

Mayor Sullivan reminded patrons to yield to students in the school zone and crossing the streets. Chief West confirmed if a student addresses the sidewalk crossing a vehicle within a block distance must yield to the student.

## **CONSENT AGENDA:**

### **❖ Motion to approve Consent Agenda:**

**Council Member Mitzner motioned to accept the Consent Agenda as presented:**

Minutes of August 21, 2019 City Council Meeting

Check Register: Aug 22 – Sept 4, 2019

**Motion seconded by Council Member Stoker, voted on, passed 3-0.**

## **DISCUSSION FROM THE FLOOR:**

### **RENEE SLINKARD – PROCLAMATION FOR CONSTITUTION WEEK SEPT 17 – 23, 2019**

Renee shared some history regarding the Constitution of the United States. Mayor Robert Sullivan read out loud the Proclamation claiming Sept 17 – 23, 2019 as Constitution week.

## **SPECIAL PROJECTS:**

**Report by Paul Owings with BG Consultants**

**Report from Public Works Superintendent (PWS) – Jim Johnson**

### **WATER DISTRIBUTION LINE-**

Majority of the meter lids have been replaced per PWS Johnson. Brandon Wyatt has been inquiring about the confirmed punch list items. PWS Johnson has one of his crew reviewing the punch list that was submitted to Orr-Wyatt Streetscapes at the time substantial completion was signed to make sure everything is listed correctly on the punch list.

## **SPECIAL PROJECTS CONT:**

### **WATER TREATMENT PLANT**

CC Wade informed the Council of the progress on the project which is on schedule. Plans for turning the system over to the new panels is scheduled for next week. BG Consultant Eric Hethcoat is waiting to receive the price estimates for the reviewed alternates to present to the Council.

- Pay Request no. 4 from Shelley Electric in the amount of **\$84,153.15** for the Water Treatment plant improvements.

### **❖ Motion**

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

**Council Member Mitzner motioned to approve pay application no. 4 from Shelley Electric in the amount of \$84,153.15. Motion seconded by Council Member Stoker, voted on, passed 4-0.**

- Pay Request No. 5 from Shelley Electric in the amount of **\$34,409.25** for the Water Treatment plant improvements.

❖ **Motion**

**Council Member Mitzner motioned to approve pay application no. 5 from Shelley Electric in the amount of \$34,409.25. Motion seconded by Council Member Stoker, voted on, passed 4-0.**

**SEWER PROJECT**

CC Wade updated the Council on the progress with the requested forms for USDA. City Attorney Harding has reviewed the Legal Service agreement and the contract for engineering services agreement with BG Consulting and is satisfied with both documents.

- Legal Service Agreement with Harding Law Firm for the Sewer Rehabilitation Project

❖ **Motion**

**Council Member Stoker motioned to approve for Mayor Sullivan to sign the Legal Service Agreement with Harding Law Firm for the sewer rehabilitation project. Motion seconded by Council Member Mitzner, voted on, passed 4-0.**

- Contract between BG Consultant and City of La Cygne for Engineering services for the Sewer Rehabilitation project.

❖ **Motion**

**Council Member Mitzner motioned to approve for Mayor Sullivan to sign the contract for engineering services with BG Consultants for the sewer rehabilitation project. Motion seconded by Council Member Stoker, voted on, passed 3-1. Nay Vote Council Member Curtis.**

## **SPECIAL PROJECTS CONT:**

**STREET PROJECT – KDOT CCLIP APPLICATION**

CC Wade updated the Council regarding the meeting with the Hospital board pertaining to their lot located on the SE Corner of the intersection of KS Hwy 152 and Industrial Road. BG Consultant Jason Hoskinson will submit 50% plans to KDOT for review. Council Member Mitzner said he would contact the County Commissioners to set up a meeting regarding discussion for improvement to the remainder of Industrial road.

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

## **REPORTS OF CITY OFFICERS:**

### **CITY ATTORNEY –BURTON HARDING**

Council Member Curtis asked City Attorney Harding about an update on Grandview Addition. CC Wade stated the sale was complete and asked City Attorney Harding to review the legal for the dedication of land to ensure the alley was incorporated in the legal description.

**POLICE & CODES OFFICER –** Chief West reviewed his report of 12 Citations, 24 Codes enforcement letters, 10 work orders and 3 VIN Inspections. Reported the demolition of (3) homes in the past month located on Grand St, Market St and Swan St.

### **PUBLIC WORKS DEPARTMENT – PUBLIC WORKS SUPERINTENDENT (PWS) JIM JOHNSON**

- PWS Johnson expressed concern with the 7" of rain received during the last storm that has caused a lot of problems of washout of rock. On the Henson line where the recent repair was done has lost rock. He is also concerned about the temporary repair that was done on the 8" force main line that runs under the railroad down South of town near Kenny Boone's home.

#### **❖ Motion**

**Council Member Mitzner motioned for Jim Johnson to purchase rock for repair not to exceed \$1500. Motion seconded by Council Member Stoker, voted on, passed 4-0.**

Mayor Sullivan expressed his appreciation to the Public Works Crew for mowing along the railroad.

**FIRE DEPARTMENT – FIRE CHIEF DAN NASALROAD –** Chief Nasalroad had some brake issues to be repaired and had a couple of engines air tested.

### **CITY CLERK (CC) – JODI WADE -**

- CC Wade advised the Council about keeping up with all the current project paperwork and advertisement for current openings.

## **COUNCIL COMMITTEE REPORTS:**

### **WATER & GAS –NONE**

### **STREET –**

Council Member Curtis inquired about the street repair on Sycamore and Mayor Sullivan asked about Broadway just South of Bitaker Park. Council Member Mitzner would hold discussion with the County regarding Sycamore St. and PWS Johnson said the area on Broadway was from the city's repair that had been performed.

### **SEWER-**

Council Member Mitzner asked PWS Johnson if all lift stations were running during this last big rain storm. PWS Johnson confirmed the stations were in operation non-stop.

## **COUNCIL COMMITTEE REPORTS CONT:**

### **PARK-NONE**

### **CEMETERY –**

PWS Johnson asked the community to be patient. The Cemetery caretaker is doing his best to keep up with the mowing and trimming in between the rain storms.

# Record of the Proceedings of the Governing Body 2019 MEETING MINUTES

**PUBLIC SAFETY -NONE**

**COMMUNITY BUILDING-NONE**

**EMPLOYEE RELATIONS & TRAINING - NONE**

## **SPECIAL COMMITTEE REPORTS:**

**EMERGENCY MANAGEMENT –NONE**

**SWANFEST COMMITTEE -NONE**

**PLANNING & ZONING COMMITTEE -**

## **UNFINISHED BUSINESS:**

**KMEA PRE-PAY PROJECT AGREEMENT-**

The Pre-pay Participation agreement was received on 8-19-19. A copy was emailed to City Attorney Harding for review. **(ITEM TABLED UNTIL FINAL AGREEMENT AND DISCOUNT AMT ARE RECEIVED)**

**FUTURE VERIZON TOWER LOCATION:**

The revised "Right of Entry" form was received and reviewed by City Attorney Harding.

### **❖ Motion**

**Council Member Mitzner motioned to give authority for Mayor Sullivan to sign Verizon's Right of Entry form. Motion seconded by Council Member Stoker, voted on, passed 4-0.**

**ACQUISITION OF REAL PROPERTY REVISED CONTRACT**

Tabled until Executive Session.

**SCOTT FRIEND 614 CHESTNUT ST – SEWER REPAIR**

Pictures from the recent CCTV were reviewed regarding the tap for 614 Chestnut. BG Consultant Paul Owings stated there are plans to perform a point repair at this location due to the cracked main pipe. Council held discussion and determined the temporary repair on the tap is holding OK and to have the owner backfill the sunken area where digging was performed.

## **NEW BUSINESS:**

**ROBERT BLANCK CHAIRMAN OF PUBLIC BUILDING COMMISSION REGARDING REFINANCING POOL BONDS**

Discussion was held about the opportunity to refinance the Pool bonds while interest rates were down.

### **❖ Motion**

**Council Member Mitzner motioned to support the Public Building Commission's decision to refinance the Pool Bonds. Motion seconded by Council Member Curtis, voted on, passed 4-0.**

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

## **MUNICIPAL MANAGEMENT RESPONSIBILITIES PERTAINING TO THE OPERATION OF WASTEWATER AND WATER TREATMENT FACILITIES.**

CC Wade shared some of KDHE's information brochures regarding the operations of a Water Treatment Facility. CC Wade had a long conversation with KDHE regarding the procedures for a small system facility when they lose their Certified Operator. CC Wade emphasized the importance for the Mayor and Council to understand their responsibilities in operating a Water Treatment facility as well as a Wastewater and Gas operation. Discussion was held by Council, City Employees and patrons in the audience. Points were made on the importance of consistently preparing for turnover with employees and the challenge of finding qualified applicants for the positions. The industry has been hit hard with retirements occurring and the lack of a large pool of certified operators to fill openings.

## **KDHE – CERTIFIED WATER AND WASTEWATER OPERATOR VIOLATION LETTER WITH ENCLOSED APPLICATION FOR OPERATOR-IN-TRAINING PROGRAM AND PROGRAM BROCHURE.**

Discussion was held regarding the OIT program. CC Wade indicated she had left a message for Carla Vogel-Tucker with KDHE and is waiting for clarification on the capability for Contract Servicing as another option.

## **NOTICE OF ACTION (NOA) LETTER RECEIVED FROM KCC REGARDING A VIOLATION WITH OUR DRUG & ALCOHOL PLAN WHICH IS BEING AUDITED BY KCC.**

CC Wade received the NOA and forwarded it to Compliance One who handles our Drug & Alcohol Plan. As soon as she receives the revised copy of the Drug & Alcohol plan, CC Wade will forward it to KCC.

## **EXECUTIVE SESSION:**

### **❖ Motion**

**Council Member Stoker moved to go into executive session for 10 minutes following a 5-minute break for preliminary discussion of the acquisition of real property. Motion seconded by Council Member Curtis, voted on, passed 4-0. Time 9:27pm**

Others in attendance included, but not limited to: City Attorney-Interim Burton Harding and City Clerk Wade.

## **Open Session Resumed at 9:43p.m.**

### **❖ Motion**

**Council Member Mitzner moved to go into executive session for 15 minutes for non-elected personnel review of application. Motion seconded by Council Member Stoker, voted on, passed 4-0. Time 9:45pm**

Others in attendance included, but not limited to: City Attorney-Interim Burton Harding, PWS Johnson, Codee Blanchett and City Clerk Wade.

## **Open Session Resumed at 10:00p.m.**

### **❖ Motion**

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

**Council Member Mitzner moved to extend the meeting time till 10:30pm. Motion seconded by Council Member Curtis, voted on, passed 4-0. Time 10:00pm**

## **EXECUTIVE SESSION CONT:**

### **❖ Motion**

**Council Member Mitzner moved to go into executive session for 10 minutes for non-elected personnel review of application. Motion seconded by Council Member Curtis, voted on, passed 4-0. Time 10:00pm**

Others in attendance included, but not limited to: City Attorney-Interim Burton Harding, PWS Johnson, Codee Blanchett and City Clerk Wade.

## **Open Session Resumed at 10:11p.m.**

### **❖ Motion**

**Council Member Mitzner moved to go into executive session for 10 minutes for non-elected personnel review of application. Motion seconded by Council Member Thies, voted on, passed 4-0. Time 10:14pm**

Others in attendance included, but not limited to: City Attorney-Interim Burton Harding, PWS Johnson, Codee Blanchett and City Clerk Wade.

## **Open Session Resumed at 10:25p.m.**

## **OTHER BUSINESS**

### **❖ Motion**

**Council Member Curtis motioned to assign Codee Blanchett as the acting supervisor after Jim Johnson retires and until the position is filled and to raise his pay \$1.00/hr during the interim period. Motion seconded by Council Member Stoker voted on, passed 4-0.**

## **NOTES AND COMMUNICATIONS TO COUNCIL:**

Mayor Sullivan has received (4) Notice of Interest forms for the vacant Council seat and Planning Zoning Commission. CC Wade will set up a time next week for her and the Mayor to meet with the individuals who have shown interest in order to make a possible recommendation at the next council meeting.

Discussion was held regarding the need to spray for mosquitos. PWS Johnson will be sure to have his crew get that done.





# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

possibly send a letter of progress to KDHE. No decision was made to have the attorney send a letter at this time.

Treasurer Gore reminded council the City was operating the water plant in violation of the KDHE regulations. Council agreed they would have a set plan of action in place by September 26, 2019. Council emphasized to the Public works employees the City would stand behind them in keeping the water plant running.

## **❖ Motion**

**Council Member Mitzner moved to set a follow up meeting for Wednesday, September 11, 2019 at 6:00 pm. Motion seconded by Council Member Stoker, voted on, passed 4-0. Time 5:58 pm.**

## **ADJOURNMENT:**

## **❖ Motion**

**Council Member Stoker moved to adjourn the meeting. Motion seconded by Council Member Thies, voted on, passed 4-0. Time 6:08 pm.**

I, \_\_\_\_\_ La Cygne City Treasurer, do hereby  
declare (Connie Gore) the  
above to be true and correct, to the best of  
my knowledge, and do hereby subscribe my name  
this 6<sup>th</sup> day of September 2019.

## **SPECIAL MEETING:**

The La Cygne City Council met for a Special Meeting on Wednesday, September 11, 2019 at La Cygne City Hall. Council Members present were: Danny Curtis; Keith Stoker; Jerome Mitzner; and James Thies.

Others in attendance included, but not limited to: City Clerk Jodi Wade; City Treasurer Connie Gore; Public Works Superintendent Jim Johnson; Linn County Newspaper Reporter Tony Furse; Public Works, Jeff Chaplin; Police Chief Tate West; Corporal Kurtis West; Fred and Linda Miesel.

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

**The Purpose of the Special Meeting was called for:**

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

- ❖ **WATER PLANT OPERATIONS:** Mayor Sullivan reminded everyone about the topics for discussion at this Special meeting include Water Plant Operation and Personnel and to be sure we do not get sidetracked to other topic areas.

City Clerk (CC) Wade reviewed KOMA regulations with the Council, employees and patrons prior to discussion being held.

CC Wade advised the Council about the call received from Cathy Vogel-Tucker with KDHE. Cathy confirmed the process for contract services or Operator-In-Training (OIT) if a small system I or II loses their Certified Operator. CC Wade has received some applications and has contacted some of the individuals listed on the Contract Service Operators list.

Council Member Mitzner asked if City Attorney Harding had provided any follow-up regarding the Kansas Statutes relevant to the violations. CC Wade informed the Council of City Attorney Harding's absent tonight was due to jury deliberations and that she had not heard back from him regarding the statutes.

## ❖ **Motion**

**Council Member Mitzner moved to go in to executive session for 20 minutes for non-elected personnel review of applications. Motion seconded by Council Member Stoker, voted on, passed 4-0. Time 6:09 pm.**

**Open Session Resumed at 6:29 pm**

## ❖ **Motion**

**Council Member Mitzner moved to go in to executive session for 20 minutes for non-elected personnel review of applications. Motion seconded by Council Member Stoker, voted on, passed 4-0. Time 6:29 pm.**

**Open Session Resumed at 6:49 pm**

## **PERSONNEL**

Mayor Sullivan stated the Council will move forward with scheduling interviews. CC Wade commented that she would meet with a Contract Service operator on Saturday, September 14, 2019.

## **ADJOURNMENT:**

## ❖ **Motion**

**Council Member Stoker moved to adjourn the meeting. Motion seconded by Council Member Curtis, voted on, passed 4-0. Time 6:54 pm.**

**Record of the Proceedings of the Governing Body  
2019 MEETING MINUTES**

I, \_\_\_\_\_ La Cygne City Clerk, do hereby declare  
(Jodi Wade) the above to be true and correct, to the  
best of my knowledge, and do hereby  
subscribe my name this 11<sup>th</sup> day of September  
2019.

**REGULAR MEETING:**

The La Cygne City Council met on Wednesday, September 18, 2019 at La Cygne City Hall. Council Members present were: Danny Curtis; Keith Stoker; and Jerome Mitzner; and James Thies.

Others in attendance included, but not limited to: City Clerk Jodi Wade; Public Works Superintendent Codee Blanchett; City Attorney Burton Harding; Linn County News Tony Furse; Fire Chief Dan Nasalroad; Police Chief Tate West; Corporal Kurtis West; Public Works Operator Jeff Chaplin; BG Consultant Eric Hethcoat; Deb and Emil Wilson; Samantha Blanchett; Gary and Jason Baquie; Thomas Capp.

**CALL REGULAR MEETING TO ORDER (7:00 P.M.)**

Pledge of Allegiance – James Thies

**MAYOR’S COMMENTS:**

None

**CONSENT AGENDA:**

**❖ Motion to approve Consent Agenda:**

**Council Member Mitzner motioned to accept the Consent Agenda as presented:**

Minutes of September 4, 2019 City Council Meeting;  
Minutes of September 6, 2019 Special Council Meeting;  
Minutes of September 11, 2019 Special Council Meeting;  
August 2019 Treasurer’s Report;  
August 2019 Budget Report;  
Check Register: September 5 – 18, 2019

**Motion seconded by Council Member Stoker, voted on, passed 4-0.**

**DISCUSSION FROM THE FLOOR:** None

Mayor Sullivan reminded patrons this was the time to present questions for discussion that are not listed on the agenda. He expressed the importance of sticking to the agenda topics during the rest of the meeting in order to allow the business of the city to be conducted within the time frame we have allotted.

# Record of the Proceedings of the Governing Body 2019 MEETING MINUTES

## **SPECIAL PROJECTS:**

**Report by Eric Hethcoat with BG Consultants**

**Report from Public Works Superintendent (PWS) – Codee Blanchett**

### **WATER DISTRIBUTION LINE-**

Majority of the meter lids have been replaced per PWS Codee Blanchett. CC Wade stated she emailed the punch list to Orr Wyatt again on Friday, Sept 13. We received an email back at the end of Tuesday, Sept 17 from Kenny Orr stating he would forward us any reply from Wyatt as soon as it was received. We have not received anything to date and Orr-Wyatt has not been back to town since prior to Labor Day weekend. Meter antennae were put back in backwards while Orr-Wyatt was changing out

## **SPECIAL PROJECTS CONT:**

### **WATER DISTRIBUTION LINE**

the meter lids, Public Works operator Jeff Chaplin has been correcting those antennae. Some wires have also been damaged – hard to determine the cause.

### **WATER TREATMENT PLANT**

BG Consultant Eric Hethcoat reviewed the following Change Orders;

- COR #2 – Backwash Pump Electrical Modifications \$17,279.00
- COR #3 – 12" Raw Water Influent Valve \$7770.00
- COR #4 – 6" Stainless Steel Air Scouring Piping Mod \$13886.00
- COR #5 – New Pressure Transducer at New Water Tower \$7005.00
- COR #6 – Carbon Room Electrical Modifications \$1541.00
- COR #7 – Replacement Clarifier Sludge Blowdown Vlv \$9471.00
- COR #8 – Rapid Mixer Modifications \$1570.00 or \$6427.00

Eric informed the Council that #2, #4, #6 and #8 would be required in order to complete the improvements currently made on the plant. Council held discussion.

#### **❖ Motion**

**Council Member Mitzner motioned to approve Change Order Requests #2, #3, #5, #6, #7, and #8 with additional motor on #8 for a total amount of \$51,063. Motion seconded by Council Member Stoker, voted on, passed 4-0.**

#### **❖ Motion**

**Council Member Mitzner motioned to give City Clerk Jodi Wade the authority to sign the Change Orders as listed in the above motion. Motion seconded by Council Member Stoker, voted on, passed 4-0.**

#### **❖ Motion**

**Council Member Mitzner motioned to extend the maximum contract time to November 25, 2019 for both Substantial and Final Completion. Motion seconded by Council Member Stoker, voted on, passed 4-0.**

### **SEWER PROJECT**

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

CC Wade has submitted all forms to USDA as requested in the Notice of Eligibility. CC Wade asked the Sewer Committee to commit to a date to review sewer rates for 2020. A meeting of the Sewer Committee was set for Tuesday, September 24 at 5pm.

## **STREET PROJECT – KDOT CCLIP APPLICATION**

CC Wade said the 50% preliminary drawings were being submitted to KDOT for their review.

## **REPORTS OF CITY OFFICERS:**

### **CITY ATTORNEY –BURTON HARDING**

None

## **REPORTS OF CITY OFFICERS CONT:**

### **POLICE & CODES OFFICER -TATE WEST**

Chief West reviewed his report of 24 Citations, 16 Code Letters, 2 Inoperable Vehicles, 6 Nuisance letters, 4 Billing Invoices, and 10 Work orders. Council inquired about the Condemnation recommendations and Chief West said it would take a few weeks to process.

### **PUBLIC WORKS DEPARTMENT – PUBLIC WORKS SUPERINTENDENT (PWS) CODEE BLANCHETT**

- Sewer Main at 9<sup>th</sup> & Sycamore was pumped out twice over the weekend of Sept 14<sup>th</sup> & 15<sup>th</sup> and was jet flowed on Sept 17<sup>th</sup>. The manholes have been checked each day and are flowing freely.
- PWS Blanchett reviewed the concerns on the Henson line where the recent repair was done that lost rock again in the last 7" rain. The owner and contractor are going to re-work the spillway and possibly add a concrete barrier wall to help direct the water away from the meter and disconnect.
- PWS Blanchett and Public Works operator Jeff Chaplin reviewed the repair recommendations from Blue Valley Tractor for the Ex-Mark Pioneer 52" deck cemetery Mower. Council asked the City Clerk and Public Works to review prior history of the mower. (Tabled until next meeting)

**FIRE DEPARTMENT – FIRE CHIEF DAN NASALROAD –** Chief Nasalroad had pump testing performed on all engines.

### **CITY CLERK (CC) – JODI WADE -**

- CC Wade has been working on reporting for various departments, advertising and interviews for open positions, paperwork for the various projects and getting the monthly finance reports completed.
- One of the computers in the City Hall is having operating issues and may need to be replaced.

## **COUNCIL COMMITTEE REPORTS:**

**WATER & GAS –NONE**

**STREET –NONE**

**SEWER-NONE**

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

## **PARK-NONE**

## **CEMETERY -NONE**

## **PUBLIC SAFETY -NONE**

## **COMMUNITY BUILDING-**

Council Member Curtis asked about the new doors. CC Wade has been calling the contractor daily. We should receive the cylinders this week and once keyed the new doors will be installed.

## **EMPLOYEE RELATIONS & TRAINING - NONE**

## **SPECIAL COMMITTEE REPORTS:**

### **EMERGENCY MANAGEMENT -NONE**

### **SWANFEST COMMITTEE -NONE**

## **SPECIAL COMMITTEE REPORTS CONT:**

### **PLANNING & ZONING COMMITTEE -**

Mayor Sullivan recommended Douglas Shawn Hite and Devona Herrin for the vacant seats on the committee.

#### **❖ Motion**

**Council Member Mitzner motioned to appoint Douglas Shawn Hite and Devona Herrin to the open positions on the Planning & Zoning Commission. Motion seconded by Council Member Stoker, voted on, passed 4-0.**

## **UNFINISHED BUSINESS:**

### **KMEA PRE-PAY PROJECT AGREEMENT-NONE**

### **FUTURE VERIZON TOWER LOCATION:**

City Attorney Burton Harding reviewed the Lease Agreement Draft received from Verizon. No information has been received from Verizon indicating they want to proceed with the location. City Attorney Harding will hold on to the agreement until notification is received from Verizon.

### **ACQUISITION OF REAL PROPERTY REVISED CONTRACT**

Tabled until Executive Session.

## **NEW BUSINESS:**

### **UPDATE ON CANDIDATES INTERESTED IN VACANT COUNCIL SEAT.**

Mayor Sullivan expressed his appreciation for those who interviewed for the Council Seat vacancy. Council Member Curtis asked who was interviewed and CC Wade read the following names; Maggie Riley, Nikki Hale, Thomas Capp and Deb Wilson. Council Member Curtis

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

asked CC Wade to send Thank you Notes to those who interviewed. Mayor Sullivan made a recommendation for Thomas Capp to fill the vacant Council seat.

❖ **Motion**

**Council Member Mitzner motioned to have Thomas Capp fill the vacant seat on the Council. Motion seconded by Council Member Stoker, voted on, passed 4-0.**

**\*\*\* Thomas Capp was sworn in prior to being seated at the Council Table\*\*\***

**CONTRACT OPERATOR FOR THE WATER TREATMENT PLANT AND FOR WASTEWATER TREATMENT FACILITY**

Stewart Kasper signed a Contract Certified Operator agreement with the City of La Cygne for a 3-month period at a rate of \$30/hr and \$50/hr for on-site emergencies and not to exceed \$4800. Stewart plans to attend the Council meeting on October 2 to meet the Council. Stewart has been visiting the plant daily and getting things organized with our current employees and contractors and making sure all monthly reporting is up to date.

**NEW BUSINESS CONT:**

**FORENSIC MEDICAL OF KS, MOBILE VRVWEB APPLICATION AND MEDICOLEGAL INVESTIGATIONS, OCT 4, RIVERSIDE, MO.**

Chief West and Corporal West would both attend this seminar as part of their continuing education to complete their annual credits.

❖ **Motion**

**Council Member Mitzner motioned to send Chief Tate West and Corporal Kurtis West to the Forensic Medical of Kansas Seminar on October 4<sup>th</sup>, 2019 at the Riverside, MO location and for the city to pick up any associated costs. Motion seconded by Council Member Stoker, voted on, passed 5-0.**

**SOVEREIGN CITIZENS & DOMESTIC TERRORISM SEMINAR, OCTOBER 2, 2019, PITTSBURG, KS**

Chief West and Corporal West would both like to attend this seminar to broaden their understanding of the Sovereign movement.

❖ **Motion**

**Council Member Mitzner motioned to send Chief Tate West and Corporal Kurtis West to the Sovereign Citizen & Domestic Terrorism Seminar on October 2<sup>nd</sup>, 2019 at the Pittsburg, KS location and for the city to pick up any associated costs. Motion seconded by Council Member Thies, voted on, passed 5-0.**

**EXECUTIVE SESSION:**

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

❖ **Motion**

**Council Member Stoker moved to go into executive session for 10 minutes following a 5-minute break for preliminary discussion of the acquisition of real property. Motion seconded by Council Member Curtis, voted on, passed 5-0. Time 8:15pm**

Others in attendance included, but not limited to: City Attorney Burton Harding and City Clerk Wade.

**Open Session Resumed at 8:30p.m.**

❖ **Motion**

**Council Member Stoker moved to go into executive session for 5 minutes for non-elected personnel individual employee's performance. Motion seconded by Council Member Mitzner, voted on, passed 5-0. Time 8:30pm**

Others in attendance included, but not limited to: City Attorney Burton Harding

**Open Session Resumed at 8:35p.m.**

**EXECUTIVE SESSION CONT:**

❖ **Motion**

**Council Member Mitzner moved to go into executive session for 20 minutes for non-elected personnel review of application. Motion seconded by Council Member Stoker, voted on, passed 5-0. Time 8:35pm**

Others in attendance included, but not limited to: City Attorney Burton Harding, City Clerk Wade, and Chief Tate West.

**Open Session Resumed at 8:55p.m.**

❖ **Motion**

**Council Member Mitzner moved to go into executive session for 30 minutes for non-elected personnel review of application. Motion seconded by Council Member Thies, voted on, passed 5-0. Time 8:55pm**

Others in attendance included, but not limited to: City Attorney Burton Harding, City Clerk Wade.

**Open Session Resumed at 9:25p.m.**



**Record of the Proceedings of the Governing Body  
2019 MEETING MINUTES**

❖ **Motion**

**Council Member Mitzner moved to go into executive session for 15 minutes for non-elected personnel review of application. Motion seconded by Council Member Curtis, voted on, passed 5-0. Time 9:26pm**

Others in attendance included, but not limited to: City Attorney Burton Harding, City Clerk Wade.

**Open Session Resumed at 9:41p.m.**

**OTHER BUSINESS**

**NOTES AND COMMUNICATIONS TO COUNCIL:**

A] Letter from KDHE regarding completed Contract Operator Form dated September 14<sup>th</sup> having been received in their office.

**ADJOURNMENT:**

❖ **Motion**

**Council Member Stoker moved to adjourn the meeting. Motion seconded by Council Member Capp, voted on, passed 5-0. Time 9:42 pm.**

I, \_\_\_\_\_ La Cygne City Clerk, do hereby declare  
(Jodi Wade) the above to be true and correct, to the  
best of my knowledge, and do hereby  
subscribe my name on this 18<sup>th</sup> of September  
2019.

**SPECIAL MEETING:**

The La Cygne City Council met for a Special Meeting on Wednesday, September 24, 2019 at La Cygne City Hall. Council Members present were: Danny Curtis; Keith Stoker; Jerome Mitzner; James Thies; and Thomas Capp.

Others in attendance included, but not limited to: City Clerk Jodi Wade; Public Works, Jeff Chaplin.

Mayor Robert Sullivan called the special meeting to order at 6:30 p.m.

# Record of the Proceedings of the Governing Body 2019 MEETING MINUTES

*The Purpose of the Special Meeting was called for:*

❖ **PERSONNEL:**

❖ **Motion**

**Council Member Mitzner moved to go in to executive session for 15 minutes for non-elected personnel review of applications. Motion seconded by Council Member Stoker, voted on, passed 5-0. Time 6:35 pm.**

**Open Session Resumed at 6:50 pm**

❖ **Motion**

**Council Member Mitzner moved to take a 10-minute break to allow the Mayor and City Clerk Wade to contact an applicant by phone. Motion seconded by Council Member Stoker, voted on, passed 5-0. Time 6:50 pm.**

**Open Session Resumed at 7:00 pm**

❖ **Motion**

**Council Member Mitzner moved to go in to executive session for 5 minutes for non-elected personnel review of applications. Motion seconded by Council Member Stoker, voted on, passed 5-0. Time 7:00 pm.**

**Open Session Resumed at 7:05 pm**

**OTHER BUSINESS:**

❖ **Motion**

**Council Member Mitzner motioned to hire Dan Nasalroad for the Public Works Superintendent position at a pay rate of \$20 per hour upon completing the pre-employment physical and drug screening with a start date as a Full-time employee on October 14, 2019. Motion seconded by Council Member Stoker, voted on, passed 5-0.**

**OTHER BUSINESS CONT:**

Council Member Curtis asked the Mayor and Council members for dates to schedule a Council Workshop regarding pay scales for the City personnel.

**Record of the Proceedings of the Governing Body  
2019 MEETING MINUTES**

**❖ Motion**

**Council Member Curtis motioned to schedule a Council Workshop on October 1, 2019 at 6pm for pay scales for City personnel positions. Motion seconded by Council Member Stoker, voted on, passed 5-0.**

**ADJOURNMENT:**

**❖ Motion**

**Council Member Curtis moved to adjourn the meeting. Motion seconded by Council Member Stoker, voted on, passed 5-0. Time 7:08 pm.**

I, \_\_\_\_\_ La Cygne City Clerk, do hereby declare  
(Jodi Wade) the above to be true and correct, to the  
best of my knowledge, and do hereby  
subscribe my name this 24<sup>th</sup> day of September  
2019.

**REGULAR MEETING:**

The La Cygne City Council met on Wednesday, October 2, 2019 at La Cygne City Hall. Council Members present were: Danny Curtis; Keith Stoker; Thomas Capp; and James Thies. Absent – Jerome Mitzner.

Others in attendance included, but not limited to: City Clerk Jodi Wade; Public Works Interim Superintendent Codee Blanchett; Linn County News Tony Furse; Fire Chief Dan Nasalroad; Police Chief Tate West; Corporal Kurtis West; Public Works Operator Jeff Chaplin; WTP Certified Operator Stewart Kasper; Deb Wilson; Fred and Linda Miesel; Esther Shields; and Robert Blanck.

**CALL REGULAR MEETING TO ORDER (7:00 P.M.)**

Pledge of Allegiance – Keith Stoker

**MAYOR'S COMMENTS:**

Mayor Sullivan read a reminder about City Hall and the Trash Compactor being closed on October 14, 2019 in honor of Columbus Day.

**CONSENT AGENDA:**

**❖ Motion to approve Consent Agenda:**

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

**Council Member Stoker motioned to accept the Consent Agenda as presented:**

Minutes of September 18, 2019 City Council Meeting;  
Minutes of September 24, 2019 Special Council Meeting;  
Check Register: September 19 – October 2, 2019

**Motion seconded by Council Member Thies, voted on, passed 4-0.**

## **DISCUSSION FROM THE FLOOR:**

Esther Shields reviewed prior minutes and emails regarding the acquisition of real property located at 402 N. 1<sup>st</sup> Street for the cemetery. Esther asked the Council why the property was not purchased. Mayor Sullivan responded upon review of the other costs associated with obtaining the property such as, demo and maintenance/upkeep, the city had other improvement projects that needed to take precedence.

## **SPECIAL PROJECTS:**

**Report from Public Works Superintendent (PWS) – Codee Blanchett**

### **WATER DISTRIBUTION LINE-**

City Clerk (CC) Wade has received email correspondence from Orr-Wyatt Streetscapes and BG Consultants to establish a meeting for Friday, October 4, 2019 at 9am. The items listed on the punch list will be reviewed. CC Wade reminded the patrons and the Council members that the project is not completed until we sign the Final Completion Certificate. Linda Miesel asked if the City Representative will let the resident know if their area has been checked off as complete to be sure they agree with the completion. CC Wade replied the city will do their best to get notification out to patrons as to the timeframe Orr-Wyatt will be in town and if their area has been completed. Mayor Sullivan commented

## **SPECIAL PROJECTS CONT:**

### **WATER DISTRIBUTION LINE**

on hopeful results from the meeting on Friday. Linda Miesel emphasized for the City to take further legal actions or pursue the bonds if progress is not being made.

### **WATER TREATMENT PLANT**

The water valve for the Bulk water salesman is to be installed on Thursday, October 3, 2019. Once everything is confirmed to be working properly, we will re-open the Water Salesman and get notice out to the public.

### **SEWER PROJECT**

CC Wade received a flash drive from BG Consultants of the CCTV that was performed on our sewer mains. The information has been loaded on to the server.

### **SEWER PROJECT RATE PACKETS**

CC Wade reviewed the rate scales included in the packets. She asked the Council to review those scales prior to our next meeting. CC Wade would like to have a decision made by November in order to get the information out to the public before we adjust the rates.

### **STREET PROJECT – KDOT CCLIP APPLICATION**

No update from KDOT on the drawings.

## **REPORTS OF CITY OFFICERS:**

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

**CITY ATTORNEY –BURTON HARDING** None

**POLICE & CODES OFFICER -TATE WEST**

Report at the table was reviewed. No comments or concerns.

**PUBLIC WORKS DEPARTMENT – PUBLIC WORKS SUPERINTENDENT (PWS) CODEE BLANCHETT**

- PWS Blanchett introduced Stewart Kasper, our contract certified operator for the Water Plant.
- Jeff Chaplin is currently working on his OQ tests in preparation for his test-out with USDI.
- The timer for the lights at the basketball court at Bitaker Park need to be adjusted for daylight savings since it is getting darker earlier.
- Have not sprayed for mosquitos yet. It is on the list of things to get done.

**FIRE DEPARTMENT – FIRE CHIEF DAN NASALROAD –**

Chief Nasalroad had pump testing performed on all engines. The secondary truck out didn't pass the testing but the test procedure is being reviewed for possible error in the testing.

**CITY CLERK (CC) – JODI WADE -**

- Council reviewed the prior history on the 2014 Ex Mark 52" deck cemetery mower. Discussion was held regarding the items listed on the current quote to be repaired and the current hours on the mower. Upon review it was determined to remove the winter service package #8 from the quoted repairs and to have the remainder items performed.

❖ **Motion**

**Council Member Curtis motioned to approve the repair quote for the amount of \$1156.44 from Blue Valley Tractor after removing the Winter service package. Motion seconded by Council Member Stoker, voted on, passed 4-0.**

## **REPORTS OF CITY OFFICERS CONT:**

**CITY CLERK (CC) – JODI WADE -CONTINUED**

- CC Wade asked if the city would like to continue to advertise for the Water Operator position. The Mayor and Council agreed to continue advertising.
- A letter regarding the Appropriation of Water File No. 36821 was received. CC Wade explained the water rights belonging to the City of La Cygne and the importance of the city to meet the amount of water appropriated for us to draw from the Marais Des Cygne River. CC Wade contacted KRWA to assist with the paperwork to be submitted.
- A meeting was scheduled with City Attorney Harding to meet on October 3 to review the utility codes. The City Attorney had to cancel. We will reschedule next week.
- gWorks 1-day User Group Session. Limited seating. December 10, 2019 in Wamego, KS. \$95. CC Wade suggested sending both the City Clerk and Utility Clerk.

❖ **Motion**

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

**Council Member Stoker motioned to send (1) clerk to the gWorks training on December 10<sup>th</sup> in Wamego, KS at a cost of \$95 plus travel expense. Motion seconded by Council Member Capp, voted on, passed 4-0.**

## **COUNCIL COMMITTEE REPORTS:**

**WATER & GAS –NONE**

**STREET –NONE**

**SEWER-NONE**

**PARK-NONE**

**CEMETERY –NONE**

**PUBLIC SAFETY -NONE**

**COMMUNITY BUILDING-**

Mayor Sullivan inquired about the doors. CC Wade has received the cylinders and will deliver them to the Locksmith.

**EMPLOYEE RELATIONS & TRAINING - NONE**

## **SPECIAL COMMITTEE REPORTS:**

**EMERGENCY MANAGEMENT –NONE**

**SWANFEST COMMITTEE -NONE**

## **UNFINISHED BUSINESS:**

**GRANDVIEW ADDITION DEDICATION FOR STREET AND ALLEY**

Legal description produced by Greg Grant survey was reviewed.

### **❖ Motion**

**Council Member Curtis motioned to accept the dedication of street and alley as defined in the legal description received from Greg Grant Survey. Motion seconded by Council Member Stoker, voted on, passed 4-0.**

**FUTURE VERIZON TOWER LOCATION:**

City Attorney Burton Harding was not able to attend tonight's meeting. This item is tabled until the next council meeting.

## **NEW BUSINESS:**

**CDG ENVIRONMENTAL ESTIMATES FOR PREVENTATIVE MAINTENANCE SERVICES AND TRAINING**

CC Wade explained the Chlorine Dioxide Injector/Generator system at the Water Plant. The current system needs to be serviced. Our current supplier is CDG Environmental. A quote was received for this service. CDG Environmental informed Stewart Kasper about our current Chlorine Dioxide product not being reapproved for production. CDG explained to Stewart the upcoming waiting period potential for the new approved Chlorine Dioxide product availability. CDG submitted information to Stewart for a "liquid" form of the product that could be used with our current system set-up. This liquid form is a lower concentration and we would have to use more to meet our needs. Stewart reviewed the cost for service

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

and for use of the liquid product for a 1year period which led him to reach out to get quotes from some other suppliers. Stewart plans to put together (3) quotes to submit to the Public Works Superintendent prior to presentation to the Council. An estimated cost at this time ranges from \$13,000 - \$17,000. Stewart will hopefully have all the information by the next Council meeting.

## **EXECUTIVE SESSION:**

### **❖ Motion**

**Council Member Stoker moved to go into executive session for 20 minutes following a 5-minute break for non-elected personnel conduct employee reviews. Motion seconded by Council Member Curtis, voted on, passed 4-0. Time 8:03pm**

Others in attendance included, but not limited to: City Clerk Wade and Dan Nasalroad.

## **Open Session Resumed at 8:28p.m.**

## **OTHER BUSINESS**

### **❖ Motion**

**Council Member Curtis motioned to approve a pay raise for Jeff Chaplin from \$12.50 to \$14.50 per hour effective September 30, 2019. Motion seconded by Council Member Stoker, voted on, passed 4-0.**

### **❖ Motion**

**Council Member Curtis motioned to approve a pay raise for Codee Blanchett from \$13.43 to \$15.43 per hour plus a \$1.00 per hour temporary increase for performing the duties of interim Public Works superintendent effective September 30, 2019. Motion seconded by Council Member Stoker, voted on, passed 4-0.**

## **NOTES AND COMMUNICATIONS TO COUNCIL:**

None

## **ADJOURNMENT:**

### **❖ Motion**

**Council Member Curtis moved to adjourn the meeting. Motion seconded by Council Member Stoker, voted on, passed 4-0. Time 8:30 pm.**

**Record of the Proceedings of the Governing Body  
2019 MEETING MINUTES**

I, \_\_\_\_\_ La Cygne City Clerk, do hereby declare  
(Jodi Wade) the above to be true and correct, to the  
best of my knowledge, and do hereby  
subscribe my name on this 2<sup>nd</sup> of October  
2019.

**REGULAR MEETING:**

The La Cygne City Council met on Wednesday, October 16, 2019 at La Cygne City Hall. Council Members present were: Danny Curtis; Keith Stoker; Thomas Capp; James Thies; and Jerome Mitzner.

Others in attendance included, but not limited to: City Clerk Jodi Wade; Linn County News Tony Furse; Public Works Superintendent/Fire Chief Dan Nasalroad; Police Chief Tate West; Corporal Kurtis West.

**CALL REGULAR MEETING TO ORDER (7:00 P.M.)**

Pledge of Allegiance – Mayor Robert Sullivan

**MAYOR'S COMMENTS:**

- a. Daylight Savings time occurs on November 3, 2019. Council Meetings will now be at 6pm.
- b. Halloween is coming up on October 31, the Fire Department will be having their Annual Hot Dogs and Chili at Thayer Park starting at 5:30pm and lasting until the food is gone.
- c. Mayor Sullivan asked City Clerk (CC) Wade is she knew where it states how long a Council meeting can last. Mayor Sullivan said it is established by the city. CC Wade will research the codes/ordinances.

**CONSENT AGENDA:**

**❖ Motion to approve Consent Agenda:**

**Council Member Mitzner motioned to accept the Consent Agenda as presented:**

Minutes of October 2, 2019 City Council Meeting;  
September 2019 Budget Report;  
September 2019 Treasurers Report;  
Second Quarter 2019 Financial Statement;  
Third Quarter 2019 Financial Statement;  
Check Register: October 3 – October 17, 2019;  
4/1/2020 – 3/31/2021 Projected Gas Supply Requirements  
Linn Co General Public Transportation – support and endorsement letter;



# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

TRI-KO Inc, Transportation for State Operating Assistance – Support and endorsement letter

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

## **DISCUSSION FROM THE FLOOR:**

None

## **SPECIAL PROJECTS:**

**Report from City Clerk (CC) – Jodi Wade**

### **WATER DISTRIBUTION LINE-**

City Clerk (CC) Wade attached the final punch list for the Council to review. CC Wade shared the results of the walk-thru that took place on Friday October 4 with BG Consultants, Orr-Wyatt Streetscapes, and City Representative CC Wade and Public Works operator Jeff Chaplin. CC Wade

## **SPECIAL PROJECTS CONT:**

**Report from City Clerk (CC) – Jodi Wade**

### **WATER DISTRIBUTION LINE-**

contacted the home owners at 812 Market St and 910 Market Street and they said their yards were OK and not to do anything. CC Wade reviewed with the owners the repairs that would take place at 213 S 9<sup>th</sup> St, 315 9<sup>th</sup> St, and 414 S Industrial Rd. Council Member Stoker said his address of 710 Vine St was supposed to be on the list and it is not. CC Wade said she would add it to the list and follow up with Orr-Wyatt Streetscapes.

### **WATER TREATMENT PLANT**

Per an email received from Lonnie Hinck on October 14, 2019, the following work is scheduled:

- i. Rapid Mixer received on Oct 10
- ii. Kruse on site Wednesday, Oct 16 to finish up Bulk Water Salesman.
- iii. Installation of 12" valve will start next week.
- iv. Sludge Discharge valves next week.
- v. Starter for the Backwash pump is expected to arrive November 4.

Per Public Works Dan Nasalroad Kruse was not on-site Wednesday. CC Wade will check in with Lonnie to find out what is going happened.

### **SEWER PROJECT**

CC Wade asked if the Council members had any questions or concerns regarding the new rates for the Sewer. CC Wade expressed the importance of Council members and city employees to explain the reason for the increase in the rates. If we don't make improvements now, things will only get worse and cost more. Council Member Curtis reminded everyone of the attempts that have been made to inform the community and even so, we will still get several phone calls asking why the rates increased.

### **TEMPORARY FINANCING**

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

CC Wade is in contact with Ransom Financial to look in to temporary financing for the upcoming sewer project.

## **REPORTS OF CITY OFFICERS:**

**CITY ATTORNEY –BURTON HARDING** None

**POLICE & CODES OFFICER -TATE WEST**

Report at the table was reviewed. Police Chief West stated he need to still get with City Attorney Harding to review the procedures for condemnation. Council Member Curtis asked about 310 Elm Street. Chief West stated he is preparing to issue a citation to the owners. Chief West reviewed his budget for 2019 and informed the Council of the only project he hasn't completed yet is the In-Car Cameras.

**PUBLIC WORKS DEPARTMENT – PUBLIC WORKS SUPERINTENDENT (PWS) DAN NASALROAD**

- Making headway getting settled in as Public Works Superintendent.
- Sewer fence line and berms have been cleared of trees and saplings and are in compliance.

## **REPORTS OF CITY OFFICERS CONT:**

**PUBLIC WORKS DEPARTMENT – PUBLIC WORKS SUPERINTENDENT (PWS) DAN NASALROAD**

- PWS Nasalroad asked the Council to approve a spending amount of up to \$2500 for hand tools, tool box and welder.

### **❖ Motion**

**Council Member Mitzner motioned for Dan Nasalroad to expend up to \$2500 for welder, hand tools and tool box. Motion seconded by Council Member Curtis voted on, passed 5-0.**

**FIRE DEPARTMENT – FIRE CHIEF DAN NASALROAD –**

Council Member Thies asked Chief Nasalroad about the ladder he had been looking to purchase. Chief Nasalroad said everything was OK on the ladders. County had a 14' they could put on a truck and the other truck had what was needed.

**CITY CLERK (CC) – JODI WADE -**

- a) Fall Newsletter going out this Friday.
- b) New cylinders received. Door installation to start this Friday.
- c) Early voting this Sunday at the Community Building 10am – 2pm.
- d) Census 2020 preparations. CC Wade told the Council it will be an effort upon the whole county to get people to complete the Census. It will be a challenge since this will be the first year for electronic filing. Council Member Stoker asked if the Library was assisting with the electronic filing. CC Wade said they would and the City will set up a computer for patrons to use also.
- e) October 16, 2019 – Last day for Cemetery Mower Jesse Cole.

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

## **COUNCIL COMMITTEE REPORTS:**

**WATER & GAS –NONE**

**STREET –NONE**

**SEWER-NONE**

**PARK-NONE**

**CEMETERY –NONE**

**PUBLIC SAFETY -NONE**

**COMMUNITY BUILDING-**

Mayor Sullivan inquired about the doors. CC Wade has received the cylinders and will deliver them to the Locksmith.

**EMPLOYEE RELATIONS & TRAINING - NONE**

## **SPECIAL COMMITTEE REPORTS:**

**EMERGENCY MANAGEMENT –NONE**

**SWANFEST COMMITTEE -NONE**

**PLANNING & ZONING COMPREHENSIVE PLAN PUBLIC HEARING SCHEDULED FOR NOVEMBER 14, 2019**

Council Member Stoker would like a copy of the plan.

## **UNFINISHED BUSINESS:**

**CDG ENVIRONMENTAL ESTIMATES FOR PREVENTATIVE MAINTENANCE SERVICES AND TRAINING**

Stewart Kasper and CC Wade are still waiting on one more quote to review the costs.

**FUTURE VERIZON TOWER LOCATION:**

City Attorney Burton Harding and CC Wade need to gather some further information prior to presenting the lease agreement.

## **NEW BUSINESS:**

**REQUEST FOR INFORMATION REGARDING THE PURCHASE OF A CITY LOT LOCATED AT 106 S COMMERCIAL ST**

CC Wade was approached by MFA Oil regarding the lot at 106 S Commercial and if the city was interested in selling the lot. The Council Members agreed the city had no plans for the lot and they are interested in selling the lot. CC Wade and City Attorney Harding will gather information for the next meeting.

**CHRISTMAS GIFT CARDS FOR EMPLOYEES**

CC Wade reviewed the purchase of \$20 Gift Cards from Casey's and Dollar General for City employees which has been done in the past. CC Wade asked if the Council would like to do that again this year or something different.

❖ **Motion**

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

**Council Member Mitzner motioned to approve the purchase of Gift cards for the city employees same as last year. Motion seconded by Council Member Stoker voted on, passed 5-0.**

## **RESOLUTION NO. APPROVING THE OFFER FOR SALE OF CITY OF LA CYGNE, KANSAS PUBLIC BUILDING COMMISSION REFUNDING REVENUE BONDS SERIES 2019.**

CC Wade reviewed the refinancing of the Bonds for the Swimming Pool. The Public Building Commission (PBC) has determined a 15-year bond with a 7 year early pay would be the best plan for refinancing the bonds. The estimated interest rate on the new bonds would come in around 3%, currently the rates are between 4.5-5%. The estimated savings would be approximately \$200,000. The Public Building Commission would like to pursue the refinancing of the bonds per Resolution PBC5.

### **❖ Motion**

**Council Member Mitzner motioned approval for the Mayor and City Clerk to sign Resolution Number 407 approving the offering for sale of the City of La Cygne, Kansas Public Building Commission refunding Revenue Bonds, Series 2019. Motion seconded by Council Member Stoker voted on, passed 5-0.**

## **RESIGNATION LETTER FROM MARY HEIDE FOR THE LA CYGNE HOUSING AUTHORITY BOARD**

Mayor Sullivan read the resignation letter from Mary Heide which is effective immediately.

### **❖ Motion**

**Council Member Mitzner motioned to accept the resignation of Mary Heide from the La Cygne Housing Authority Board effective now. Motion seconded by Council Member Curtis voted on, passed 5-0.**

## **NEW BUSINESS CONT:**

### **REAPPOINTMENT OF PAUL KANA AND DR. JEFF FULK TO THE PLANNING AND ZONING COMMISSION**

#### **❖ Motion**

**Council Member Mitzner motioned to re-appoint Paul Kana and Dr. Jeff Fulk to the Planning and Zoning Commission. Motion seconded by Council Member Stoker voted on, passed 5-0.**

### **KU DRUG IDENTIFICATION AND FIELD-TESTING CERTIFICATION, PITTSBURG, KS, NOV 7, 2019**

Police Chief Tate West and Corporal Kurtis West would like to attend this training in Pittsburg, KS on November 7, 2019 at a cost of \$15 per person.

#### **❖ Motion**

**Council Member Mitzner motioned for Chief West and Corporal West to attend the Drug Identification and Field Test Training on November 7, 2019 at a cost of \$15/person in Pittsburg, KS and plus associated travel and meal costs. Motion seconded by Council Member Thies voted on, passed 5-0.**

**Record of the Proceedings of the Governing Body  
2019 MEETING MINUTES**

**EXECUTIVE SESSION:**

None

**NOTES AND COMMUNICATIONS TO COUNCIL:**

- a. CC Wade reminded the Council about the upcoming Christmas Lights. Funds were received from the disbanded sorority. CC Wade met with the prior company that handled the lights. This year's lights will be placed on the Main Street area but the lights along KS Hwy 152 need maintenance and replacement which will not happen before this Christmas.

**ADJOURNMENT:**

❖ **Motion**

**Council Member Curtis moved to adjourn the meeting. Motion seconded by Council Member Stoker, voted on, passed 5-0. Time 8:15 pm.**

I, \_\_\_\_\_ La Cygne City Clerk, do hereby declare  
(Jodi Wade) the above to be true and correct, to the  
best of my knowledge, and do hereby  
subscribe my name on this 16<sup>th</sup> of October  
2019.

**REGULAR MEETING:**

The La Cygne City Council met on Wednesday, November 6, 2019 at La Cygne City Hall. Council Members present were: Danny Curtis; Keith Stoker; Thomas Capp; James Thies; and Jerome Mitzner.

Others in attendance included, but not limited to: City Clerk Jodi Wade; Linn County News Tony Furse; Public Works Superintendent/Fire Chief Dan Nasalroad; Police Chief Tate West; Corporal Kurtis West, Deb and Emil Wilson, Doug Hite and Maggie Riley, Stewart Kasper, and Frankie Elder.

**CALL REGULAR MEETING TO ORDER (6:00 P.M.)**

Pledge of Allegiance – Jerome Mitzner

**MAYOR'S COMMENTS:**

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

- d. Veterans Meal at noon and Veterans Program at 1pm at the La Cygne Elementary School on November 11.
- e. La Cygne City Hall and the La Cygne Compactor will be closed on Monday, November 11.
- f. La Cygne Community Dinner is on Saturday, Nov 23 from 11am – 1pm at the La Cygne Elementary School.

## **CONSENT AGENDA:**

### **❖ Motion to approve Consent Agenda:**

**Council Member Mitzner motioned to accept the Consent Agenda without the CMB License renewal for 2020 for Casey's General Store #3397.**

Minutes of October 16, 2019 City Council Meeting;

Check Register: October 17 – Nov 6, 2019;

**Motion seconded by Council Member Stoker, voted on, passed 4-0.**

## **DISCUSSION FROM THE FLOOR:**

Frankie Elder came tonight to express her concerns regarding Cereal Malt Beverage Licensing. As a small business owner of a liquor store in the City of La Cygne, Frankie shared the challenges she faces when corporations come to town and choose to sell products which are available at our locally owned small businesses. She emphasized how small local businesses give back to the community whereas corporations tend not to. Frankie addressed the Council to see if there were any options with the licensing to help avoid the strangulation happening to small businesses. Frankie expressed her commitment of being the voice for her business and other small businesses in our community. Council Member Mitzner referred the question to City Attorney Burton Harding for review.

**Council Member Mitzner motioned to table the CMB License renewal for 2020 for Casey's General Store #3397 until the City Attorney reviews the statutes and city ordinances.**

**Motion seconded by Council Member Stoker, voted on, passed 4-0.**

## **SPECIAL PROJECTS:**

**Report from Public Works Superintendent (PWS) – Dan Nasalroad**

### **WATER DISTRIBUTION LINE-**

Orr-Wyatt Construction came to town on November 6 to start working on the Final Punch List items. PWS Nasalroad did not have an employee available to travel with the crew. Orr-Wyatt said they would email copies of the list as items were completed.

### **WATER TREATMENT PLANT**

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

PWS Nasalroad said the contractors have been in working on the flow meters. The Water Salesman is back in operation and they just about have it fine-tuned on the volume.

## **PAY APPLICATION NO 6 IN THE AMOUNT OF \$48,843.00 FROM SHELLEY ELECTRIC FOR THE WATER TREATMENT PLANT IMPROVEMENT PROJECT**

City Clerk Wade reviewed items on the schedule for payment.

### **❖ Motion**

**Council Member Mitzner motioned to approve pay application no 6 in the amount of \$48,843.00 from Shelley Electric for the Water Treatment Plant Improvement project. Motion seconded by Council Member Stoker voted on, passed 5-0.**

## **PAY APPLICATION NO 7 IN THE AMOUNT OF \$28,586.47 FROM SHELLEY ELECTRIC FOR THE WATER TREATMENT PLANT IMPROVEMENT PROJECT**

City Clerk Wade reviewed items on the schedule for payment.

### **❖ Motion**

**Council Member Mitzner motioned to approve pay application no 7 in the amount of \$28,586.47 from Shelley Electric for the Water Treatment Plant Improvement project. Motion seconded by Council Member Stoker voted on, passed 5-0.**

## **SEWER PROJECT**

USDA had questions regarding the 100yr FEMA flood elevations. CC Wade emailed a letter from the Division of Water Resources to Paul Owings with BG Consultants showing the elevations level for the area around the sewer lagoons.

CC Wade checked with the technicians for the gWorks software to confirm there was an additional line available on the Utility Bills to allow the ability to break out the rate information.

## **CCLIP KDOT STREET PROJECT**

CC Wade has not received any updates yet from KDOT or BG Consultants.

## **REPORTS OF CITY OFFICERS:**

### **CITY ATTORNEY –BURTON HARDING**

City Attorney Harding reviewed some items of concern on the Verizon Wireless lease agreement. Discussion was held on the concerns. The Council was asked to review the lease prior to the November 20 meeting. City Attorney Harding will have a red-lined agreement ready for approval to send back to Verizon following the November 20, 2019 meeting.

## **REPORTS OF CITY OFFICERS CONT:**

### **POLICE & CODES OFFICER -TATE WEST**

Report at the table was reviewed.

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

- i. Sovereign Citizen Extremists Training Paola KS, Dec 20, No Fee.

❖ ***Motion***

**Council Member Mitzner motioned to send Tate West, Kurtis West and Dan Nasalroad to the Sovereign Citizen Extremists Training and for the city to cover any associated travel cost. Motion seconded by Council Member Stoker voted on, passed 5-0.**

- ii. Bias-Free Policing Pittsburg, KS, Jan 30, No Fee. This is state mandated class.

❖ ***Motion***

**Council Member Mitzner motioned to send Tate West, Kurtis West and Dan Nasalroad to the Bias-Free Policing course and for the city to cover any associated travel cost. Motion seconded by Council Member Capp voted on, passed 5-0.**

- iii. Domestic Violence, Protection Order, Stalking and Elder Abuse, Ottawa, KS, \$25/person

❖ ***Motion***

**Council Member Mitzner motioned to send Tate West and Kurtis West to the Domestic Violence, Protection Order, Stalking and Elder abuse course and for the city to cover any associated travel cost. Motion seconded by Council Member Stoker voted on, passed 5-0.**

**PUBLIC WORKS DEPARTMENT – PUBLIC WORKS SUPERINTENDENT (PWS) DAN NASALROAD**

- PWS Nasalroad thanked Jerome Moore for helping them locate some items in the water plant and Jim Johnson for assisting with some issues.
- The timer for the lights at Bittaker Park has been adjusted for Daylight Savings.
- Working hard on organizing and cleaning the shop and water plant.
- Fine tuning the flow on the Water Salesman.

**FIRE DEPARTMENT – FIRE CHIEF DAN NASALROAD –**

Chief Nasalroad reported on the Halloween night hot dogs. Crowd was a little smaller this year perhaps due to the cooler weather and other events taking place.

**CITY CLERK (CC) – JODI WADE -**

- f) New doors on the City Hall and Community Building are installed. Omega doors will replace the glass on the City Hall door with an insulated pane.
- g) Drafts of the Water, Gas and Trash ordinance were reviewed. Council Member Curtis inquired about the Landlord information on the Gas Ordinance. City Attorney Harding and City Clerk Wade will review the section and make sure it goes hand in hand with the Kansas Statue. CC Wade asked the Council to review prior to the next meeting so final drafts could be produced for approval at the November 20 meeting.



# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

## **REPORTS OF CITY OFFICERS CONT:**

- h) CC Wade reported feedback from the Rate Analysis training course she recently attended. Asked the Council "What is their expectation from the rates of their utility company". CC Wade discussed production vs. purchase. It is the responsibility of the City to review annually the cost of production and their rates. CC Wade expressed the concern of a population our size being capable of meeting the costs involved with production. She indicated the importance of increasing your base of customers.
- i) 2019 Budget Review – CC Wade discussed the current outlook of the Revenue and Expenses to date for the General Fund, Water, Gas and Sewer.

## **COUNCIL COMMITTEE REPORTS:**

**WATER & GAS –NONE**

**STREET –NONE**

**SEWER-NONE**

**PARK-**

CC Wade announced the retirement of Bill Ross as the Park Maintenance person. The Park Board has hired Frances Campbell for the position of Park Maintenance.

**CEMETERY –NONE**

**PUBLIC SAFETY -NONE**

**COMMUNITY BUILDING-**

**EMPLOYEE RELATIONS & TRAINING - NONE**

## **SPECIAL COMMITTEE REPORTS:**

**EMERGENCY MANAGEMENT –NONE**

**SWANFEST COMMITTEE -NONE**

## **UNFINISHED BUSINESS:**

### **CDG ENVIRONMENTAL ESTIMATES FOR PREVENTATIVE MAINTENANCE SERVICES AND TRAINING**

Stewart Kasper reviewed the quotes received from CDG Environmental and D&F Services Inc. Due to CDG not having the solid product available and substituting a liquid form it would cost the city a potential \$46,000-\$56,000 next year for service from CDG. Per the Quote from D&F Services, it would cost \$21,913.95 to set up their generator system and for the 1<sup>st</sup> year of product. D&F Services office is located in Overland Park and their warehouse is located in La Cygne which helps to save on delivery cost. Council held discussion.

### **❖ Motion**

**Council Member Mitzner motioned to give approval for City Clerk Wade, Public Works Superintendent Nasalroad and Stewart Kasper to move forward with the quote from D&F Services and other necessary**

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

**requirements to replace the Chlorine Dioxide system. Motion seconded by Council Member Stoker voted on, passed 5-0.**

## **FUTURE VERIZON TOWER LOCATION:**

Discussion held earlier during Reports of City Officers by City Attorney Burton Harding.

## **UNFINISHED BUSINESS CONT:**

### **CITY LOT 106 S COMMERCIAL ST (OLD WITCH HAT TOWER SITE):**

CC Wade is waiting for Public Works to hook on to the tracer wire to determine the location of the pig tail line coming off the main water line. If the valve on the pig tail sets outside of the easement (right of way) then an attachment will need to be put with the lot prohibiting any structure being placed over the line.

## **NEW BUSINESS:**

### **APPROPRIATION OF WATER, FILE NO. 36.821, EXTENSION FOR PERFECTION UNTIL 2024**

CC Wade reviewed the letter Douglas Helmke with Kansas Rural Water Association sent. Doug explained the potential of this being the last (4) year opportunity to perfect water file no. 36.821. The Council will need to determine if they want to apply for a new water right permit if they can justify the perfected quantity in 2024.

#### **❖ Motion**

**Council Member Mitzner approved for the Mayor to sign the Extension request for perfection of Appropriation of Water, File No 38.821 to be extended to December 31, 2024. Motion seconded by Council Member Stoker voted on, passed 5-0.**

### **RESOLUTION NO. ADOPTING THE KANSAS HOMELAND SECURITY REGION J HAZARD MITIGATION PLAN**

CC Wade reminded the Council that we participated in the Hazard Mitigation Plan 5 years ago. Doug Bartlett, Linn County Emergency Management, submitted the renewal resolution for the plan. Nothing has been changed.

#### **❖ Motion**

**Council Member Mitzner motioned to approve Resolution No. 408 Adopting the Kansas Homeland Security Region J Hazard Mitigation Plan. Motion seconded by Council Member Capp voted on, passed 5-0.**

### **BLUE CROSS BLUE SHIELD HEALTH INSURANCE RENEWAL**

CC Wade reviewed the changes for the BCBS health plan. The City of La Cygne has been switched over from the Business Group division to the Small group division due to the number of employees accepting insurance. The plan is identical to the prior plan with the business group. The premiums will increase about \$30-\$35/month per employee for 2020.

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

## **LA CYGNE COMMUNITY DINNER CONTRIBUTION, NOVEMBER 23, 11AM TO 1PM**

CC Wade shared the motion made last year for the Community dinner of a contribution up to \$200 for essentials for the dinner.

### **❖ Motion**

**Council Member Curtis motioned to approve up to \$200 for the La Cygne Community Dinner. Motion seconded by Council Member Stoker voted on, passed 5-0.**

## **NEW BUSINESS CONT:**

### **GWORCS SIMPLECITY ACCOUNTING ANNUAL LICENSE FOR 2020 IN THE AMOUNT OF \$5057.70.**

CC Wade explained the importance for the technical support. Council Member inquired about an hourly rate available and how often we utilize their technical services. CC Wade stated the clerks call in at least 1 or twice a week right now as they are still learning the system and adjusting to the new changes due to the merge.

### **❖ Motion**

**Council Member Mitzner motioned to approve the gWorks technical support service agreement in the amount of \$5,057.70. Motion seconded by Council Member Capp voted on, passed 5-0.**

### **VERIZON VS US CELLULAR PHONE SERVICE**

Police Chief Tate West discussed the pricing for (9) smartphones and unlimited data plans. Verizon offered \$1350 (\$149/ph) for (9) phones paid up front and \$450 for the plan. US Cellular offered \$5382 (\$598/phone) for (9) phones on monthly payment plan and \$467 for the plan. Discussion was held on the need for smartphones. Doug Hite asked if Chief West had checked the pricing for Android phones. Emil Wilson suggested to get the pricing for Android phones just to compare the cost. Item Tabled.

## **EXECUTIVE SESSION:**

### **❖ Motion**

**Council Member Mitzner motioned to go into executive session for 10 minutes following a 5-minute break for non-elected personnel for review of application. Motion seconded by Council Member Stoker voted on, passed 5-0. 7:49pm**

Others in attendance included, but not limited to: Police Chief West, City Clerk Wade, Public Works Superintendent Nasalroad.

**Open Session resumed at 8:00pm**

**Record of the Proceedings of the Governing Body  
2019 MEETING MINUTES**

**OTHER BUSINESS**

None

**NOTES AND COMMUNICATIONS TO COUNCIL:**

- b. CC Wade reviewed the notice of violations received from KDHE regarding the reporting during the month of August and September 2019. The violation for the turbidity (cloudiness) for the month of August must be issued to the public within 30 days of notice. The other monitoring violations must be issued to the public sometime in the next year. The violations in the reporting are due to the transition in Water Operators and the construction improvements being done in the Water plant. Mayor Sullivan direct CC Wade to issue the 30-day notice to the public for the Turbidity and wait to send the other notices with the CCR annual report.

**ADJOURNMENT:**

❖ **Motion**

**Council Member Curtis moved to adjourn the meeting. Motion seconded by Council Member Capp, voted on, passed 5-0. Time 8:22 pm.**

I, \_\_\_\_\_ La Cygne City Clerk, do hereby declare  
(Jodi Wade) the above to be true and correct, to the  
best of my knowledge, and do hereby  
subscribe my name on this 6<sup>th</sup> of November  
2019.

**REGULAR MEETING:**

The La Cygne City Council met on Wednesday, November 20, 2019 at La Cygne City Hall. Council Members present were: Danny Curtis; Keith Stoker; Thomas Capp; James Thies; and Jerome Mitzner.

Others in attendance included, but not limited to: City Clerk Jodi Wade; Linn County News Tony Furse; Public Works Superintendent/Fire Chief Dan Nasalroad; Corporal Kurtis West, Deb Wilson, Doug Hite and Maggie Riley, and Frankie Elder.

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

## **CALL REGULAR MEETING TO ORDER (6:00 P.M.)**

Pledge of Allegiance – Danny Curtis

## **MAYOR'S COMMENTS:**

- g. La Cygne City Hall and Compactor will be closed on November 28 and November 29.
- h. Community Dinner will be held on Saturday, Nov 23 from 11am – 1pm at the La Cygne Elementary School.
- i. Congratulations to the Prairie View Football team on an amazing season. Played hard and had a very successful season.

## **CONSENT AGENDA:**

### **❖ Motion to approve Consent Agenda:**

**Council Member Mitzner motioned to accept the Consent Agenda as presented.**

Minutes of November 6, 2019 City Council Meeting;  
October 2019 Budget Report;  
October 2019 Treasurers Report;  
Check Register: November 6 – November 20, 2019;

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

## **DISCUSSION FROM THE FLOOR:**

None

## **SPECIAL PROJECTS:**

**Report from Public Works Superintendent (PWS) – Dan Nasalroad**

### **WATER DISTRIBUTION LINE-**

Orr-Wyatt Construction has done a good job thus far on the punch list items. City Clerk (CC) Wade asked the Council about the finalization process. Council Member Mitzner directed PWS Nasalroad to have Jeff Chaplain take the list with him while doing the meter reads this week and check-off items. CC Wade said Orr-Wyatt took photos at each address location on the punch list that had dirt work performed and emailed them to City Hall.

## **SPECIAL PROJECTS CONT:**

### **WATER TREATMENT PLANT**

PWS Nasalroad reported the 12" Valve and flow meter were installed and operating. The new Rapid Mixer has been returned for repair, this is being taken care of by Shelley Electric and the supplier. Shelley Electric asked PWS Nasalroad for a punch list prior to the walk through with Eric Hethcoat, BG Consultants, on Monday, November 23<sup>rd</sup> at 2:00 pm.

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

## **SEWER PROJECT**

CC Wade received a follow up email on November 20 from Randy Stone with USDA to Paul Owings, BG Consultants, regarding the height of the Sewer Lagoon berms in relation to the 100-year and 500-year FEMA Flood levels. Randy Stone asked Paul if it was possible to raise the current lagoon berms to 808.8' without significant cost impact to the City? If possible, Randy felt the environmental impacts were minor and does not believe this would be either a substantial improvement or extraordinary circumstance and we could stay at an environmental report and document and move forward. Paul, BG Consultants, has not responded to the email to date.

## **REPORTS OF CITY OFFICERS:**

### **CITY ATTORNEY –BURTON HARDING**

Absent

### **POLICE & CODES OFFICER -KURTIS WEST**

None

### **PUBLIC WORKS DEPARTMENT – PUBLIC WORKS SUPERINTENDENT (PWS) DAN NASALROAD**

- PWS Nasalroad addressed the labor rates for code work. Would like for the labor rates to be evaluated especially for repair and installation work performed for the utilities.
- Mayor Sullivan inquired about tool purchases. PWS Nasalroad has the basics purchased.
- PWS Nasalroad is still in search of a Dump Truck.

### **FIRE DEPARTMENT – FIRE CHIEF DAN NASALROAD –**

None

### **CITY CLERK (CC) – JODI WADE -**

- j) Budget has been reviewed to date in preparation for year-end.
- k) Payroll information is being reviewed in preparation for W-2's.
- l) City Treasurer Connie Gore attended her 3<sup>rd</sup> year of Municipal training. She had to complete a capstone project this year and her group did a fantastic job.
- m) Information Pamphlet created for new residents or existing. Has phone numbers and hours for city facilities, utilities, library and camping.
- n) CC Wade reviewed Article 2 pertaining to the 1<sup>st</sup> Council meeting of January 2020 which falls on a holiday (New Years'). Council did not make an official decision. Tabled until next meeting.

## **COUNCIL COMMITTEE REPORTS:**

### **WATER & GAS –NONE**

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

**STREET –NONE**

**SEWER-NONE**

**PARK-NONE**

**CEMETERY –NONE**

**PUBLIC SAFETY -NONE**

**COMMUNITY BUILDING-**

**EMPLOYEE RELATIONS & TRAINING - NONE**

## **SPECIAL COMMITTEE REPORTS:**

**EMERGENCY MANAGEMENT –NONE**

**SWANFEST COMMITTEE -NONE**

## **UNFINISHED BUSINESS:**

### **CMB LICENSE RENEWAL FOR 2019 – CASEY’S GENERAL STORE #3397**

No discussion was held regarding the renewal of Casey’s CMB License.

#### **❖ Motion**

**Council Member Stoker motioned to approve the renewal of the CMB License for Casey’s General Store #3397. Motion seconded by Council Member Curtis voted on, passed 5-0.**

### **FUTURE VERIZON TOWER LEASE AGREEMENT:**

CC Wade reviewed the red-line revisions submitted by City Attorney Harding to include:

- Adjusted lease amount to \$6000
- Removed the requirement for the City to adjust insurance coverage amounts.
- Required the lot to be restored to its original state if tower is removed.

Council supported the red-lined items and asked CC Wade to email the lease agreement back to Verizon.

### **WATER AND GAS UTILITY CODE BOOK SECTION**

CC Wade reviewed the update to the ‘Liability of the Landlord’ section for Water and Gas. She referred to the Kansas Statue which pertains to the liability. This statue will be referenced in both the Water and Gas sections. CC Wade asked the Council’s opinion of the requirement of only (1) meter per address. Discussion was held regarding the current meter set-ups for multi-dwelling divisions. CC Wade said the changes made to the codes now will set the precedent from here forward, there may be some lots that would have to be grandfathered due to their current set up.

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

## **UNFINISHED BUSINESS:**

### **VERIZON WIRELESS OR U.S. CELLULAR PHONE SERVICE**

CC Wade reviewed the quotes. Chief West checked the prices on Android phone which was \$749/phone vs. \$598/phone.

#### **❖ Motion**

**Council Member Mitzner motioned to approve the quote from U.S. Cellular for (9) IphoneXRs at \$598/month. Motion seconded by Council Member Capp voted on, passed 5-0.**

## **NEW BUSINESS:**

### **AMEND 2019 BUDGET SOLID WASTE REVENUE AND EXPENSE**

CC Wade explained the increase in the number of people signing up for trash services. The expense amount for 2019 will exceed the current budget of \$17,500. CC Wade has been advised by the Auditor to amend the budget for 2019. CC Wade increased the budget revenue and expense to \$25,500 on the proposed amended budget for Solid Waste for 2019.

#### **❖ Motion**

**Council Member Mitzner motioned for CC Wade to publish a notice for a Public Hearing on December 18, 2019 at 6pm at the La Cygne City Hall to amend the 2019 Budget. Motion seconded by Council Member Stoker voted on, passed 5-0.**

### **GAS UTILITY REVIEW AND USDI PRICE SHEET FOR SERVICE FOR LA CYGNE.**

CC Wade reviewed the past 5 years of operation of the Gas utility. She showed how well we have done to build the reserve to nearly 1 million dollars. Unfortunately, the City of La Cygne does not have a trained/certified work crew at this time to handle the monthly and annual maintenance which needs to be performed on the gas lines. CC Wade received two price sheets from USDI to provide more contract service to the City of La Cygne. First price sheet is for a one-time fee of \$8,000 and an annual cost of \$30,000 and the City of La Cygne would agree to remain responsible for emergency response, leak investigation, pipeline location, meter set, turn on/off, meter read. The second price sheet is for a one-time fee of \$5,000 and an annual cost of \$63,000 and the City would only handle the meter reads and the billing. Council Member Mitzner asked if the City would still be able to bill against the Gas Utility for supplies and equipment. CC Wade explained the Gas Utility is still the ownership of the City of La Cygne and the budget will maintain as it has in the past, we are just increasing the responsibility of the company we already contract service to maintain our system. PWS Nasalroad stressed the importance right now to keep our utilities in compliance while his crew is getting certified and qualified. PWS Nasalroad expressed the concern with turnover affecting the ability to maintain certified operators and the amount of time it is going to take to get everyone trained.

#### **❖ Motion**



## **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

**Council Member Mitzner motioned to pursue utilizing USDI for further service on the Gas utility system and to have City Attorney Harding review the contract from USDI prior to approval. Motion seconded by Council Member Stoker voted on, passed 5-0.**

### **BRITE QUOTE FOR (2) GETAC BODY CAMERAS/DVR, \$15,416.**

CC Wade spoke on behalf of Chief Tate West who was absent. Corporal West explained to the Council how these cameras would go automatically in to operation as soon as the lights were turned on in the vehicle and /or when the Officer opens the door of the vehicle. CC Wade indicated the increased storage space through the Cloud service. CC Wade reviewed the Police budget with Chief West to ensure his department had the funding available. Corporal West indicated the installations would take place here in La Cygne.

#### **❖ Motion**

**Council Member Mitzner motioned to approve the quote from Brite in the amount of \$15,416 to outfit both vehicles with camera systems. Motion seconded by Council Member Stoker voted on, passed 4-0. (Nay-Curtis)**

### **CHRISTMAS LIGHT DONATION OF \$500 TO IOTA TAU SORORITY**

CC Wade reminded the Council that in the past the city had motioned to donate \$500 for the Christmas lights to Iota Tau Sorority. Since the sorority has disbanded donation will cease. CC Wade asked the Council how they want to fund the Christmas lights for La Cygne. Council Member Stoker stated the importance of having Christmas lights in our city. CC Wade said there was enough funding from the sorority to cover the costs this year but the Council would need to figure out the expense and revenue for future years.

### **CITY OFFICIAL TRAINING, MERRIAM CITY HALL, MERRIAM KS, DEC 13, \$20 FEE, DEBRA WILSON**

CC Wade had reviewed the agenda for this training and contact in-coming Mayor Debra Wilson to see if she could attend. The topics at this training are very important areas for City Officials to understand. Council Member Stoker asked Debra Wilson if she is available to attend and she responded that she is and would love to go.

#### **❖ Motion**

**Council Member Curtis motioned to approve to send Debra Wilson to the City Official Training in Merriam, KS on Dec 13 and to cover the cost of \$20 and any additional cost of travel. Motion seconded by Council Member Stoker voted on, passed 5-0.**

### **EXECUTIVE SESSION:**

#### **❖ Motion**

**Council Member Mitzner motioned to go into executive session for 10 minutes following a 5-minute break for non-elected personnel for review of**

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

**performance. Motion seconded by Council Member Stoker voted on, passed 5-0. 7:19pm**

Others in attendance included, but not limited to: City Clerk Wade.

## **Open Session resumed at 7:34pm**

### **EXECUTIVE SESSION CONT:**

#### **❖ Motion**

**Council Member Mitzner motioned to go into executive session for 15-minutes for consultation with an attorney for the city which would be deemed privileged in an attorney-client relationship. Motion seconded by Council Member Stoker voted on, passed 5-0. 7:37pm**

Others in attendance included, but not limited to: City Clerk Wade, Public Works Superintendent Nasalroad and City Attorney Harding via speaker phone.

## **Open Session resumed at 7:53pm**

#### **❖ Motion**

**Council Member Mitzner motioned to go into executive session for 20-minutes for consultation with an attorney for the city which would be deemed privileged in an attorney-client relationship. Motion seconded by Council Member Stoker voted on, passed 5-0. 7:55pm**

Others in attendance included, but not limited to: City Clerk Wade, Public Works Superintendent Nasalroad and City Attorney Harding via speaker phone.

## **Open Session resumed at 8:10pm**

### **OTHER BUSINESS**

- a) Solid waste operation, Emergency and Costing plan for 2019-2020 received. CC Wade has a copy at the City Hall and asked if the Council would like to review. Council Member Stoker asked for a copy.
- b) Internship program for the City Hall. CC Wade would like to establish a 2-year internship program for the City Hall. The position would be part-time and would require the applicants to be either in their last year of college or just completed college with a degree focused on Business Administration or Finance. CC Wade will present the program at the next Council meeting.
- c) PWS Nasalroad updated the Council on the progress with the sewer line located up near Lincoln and 4<sup>th</sup> street. Council approved a quote from Jim Thompson to perform the work back in the summer. Weather has prohibited Jim Thompson from

**Record of the Proceedings of the Governing Body  
2019 MEETING MINUTES**

completing the job. Jim Thompson plans to have it completed prior to the end of the year.

**NOTES AND COMMUNICATIONS TO COUNCIL:**

- a) December 4<sup>th</sup>, 2019 Snowflake Princess/Chili Dinner/Santa, La Cygne Elementary, 4:30pm, Merchant drawing, Raffle tickets for prizes, and good will donations for meal.
- b) December 8<sup>th</sup>, 2019, Santa, Christmas lights, snacks 5:30pm – 7:30pm, La Cygne Community Building. Debra Wilson asked who is sponsoring this event. CC Wade indicated the Park Board and City Hall staff.

**ADJOURNMENT:**

**❖ Motion**

**Council Member Curtis moved to adjourn the meeting. Motion seconded by Council Member Capp, voted on, passed 5-0. Time 8:14 pm.**

I, \_\_\_\_\_ La Cygne City Clerk, do hereby declare  
(Jodi Wade) the above to be true and correct, to the  
best of my knowledge, and do hereby  
subscribe my name on this 20<sup>th</sup> of November  
2019.

**REGULAR MEETING:**

The La Cygne City Council met on Wednesday, December 4, 2019 at La Cygne City Hall. Council Members present were: Danny Curtis; Keith Stoker; Thomas Capp; and James Thies. Absent-Jerome Mitzner.

Others in attendance included, but not limited to: City Clerk Jodi Wade; City Attorney Burton Harding; Linn County News Tony Furse; Police Chief Tate West; Public Works Superintendent/Fire Chief Dan Nasalroad; Corporal Kurtis West, Deb Wilson, and Robert Blanck.

**CALL REGULAR MEETING TO ORDER (6:00 P.M.)**

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

Pledge of Allegiance – Burton Harding

## **MAYOR'S COMMENTS:**

- j. Letters to Santa/Main Street Lights/BINGO, December 8<sup>th</sup>, 5:30pm – 7:30pm at the La Cygne Community Building.

## **CONSENT AGENDA:**

### **❖ Motion to approve Consent Agenda:**

**Council Member Stoker motioned to accept the Consent Agenda as presented.**

Minutes of November 20, 2019 City Council Meeting;

Check Register: November 21 – December 4, 2019;

**Motion seconded by Council Member Thies, voted on, passed 4-0.**

## **DISCUSSION FROM THE FLOOR:**

None

## **SPECIAL PROJECTS:**

**Report from Public Works Superintendent (PWS) – Dan Nasalroad**

### **WATER DISTRIBUTION LINE-**

City Clerk Wade informed the Council of the completion of the punch list items which has been reviewed by Public Works Operator Jeff Chaplin. At this time, there are still (4) invoices for repairs that had been sent to Orr-Wyatt several months ago which have not been paid. Council Member Stoker inquired about the Syd's Market building located at 602 East Market Street.

### **SYD'S MARKET BUILDING-602 EAST MARKET ST:**

City Clerk Wade mailed a certified letter to the Shirlene Mahurn (owner) and explained to her over the phone the lack of water utility services at 602 East Market. City Clerk Wade advised Shirlene the City would resolve the issue as quickly as possible. City Clerk Wade contacted Orr-Wyatt Streetscapes to determine if the main line had been taped for this service location. Per Brandon Wyatt, he made a 2" tap, put on a saddle and a flange piece. He placed a meter pit directly over the flange piece to mark the location of the tap. City Clerk Wade reached out to Orr-Wyatt to submit a bid to install a 2" pit/setter/meter and connect the new meter to the existing service line but they did not

## **SPECIAL PROJECTS CONT:**

### **SYD'S MARKET BUILDING-602 EAST MARKET ST:**

have any crews available. The City has reached out for a bid from a local contractor. City Clerk Wade explained the urgency since the building has a contract pending for sale. City Clerk Wade will maintain communication with all parties involved as details are lined out for completing the water utility connection.

### **WATER TREATMENT PLANT**

# **Record of the Proceedings of the Governing Body**

## **2019 MEETING MINUTES**

Construction project meeting was held on Nov 25, 2019 with BG Consultants and Shelley Electric. Installation has been completed per specification. Substantial Completion has been met as of November 15, 2019. The bulk watersalesman is still not operating correctly, contractor will review. Public works must set up some training dates with Microcom on how they want the plant to operate and alert them.

### **SEWER PROJECT**

No updates at this time.

## **REPORTS OF CITY OFFICERS:**

### **CITY ATTORNEY –BURTON HARDING**

City Attorney Harding reviewed the responses from Verizon to the redlined contract. Verizon accepted the redlined items with the exception of insurance. City Clerk Wade will contact Linn County Insurance to confirm if Verizon can be listed as an additional insured on the City's certificate of insurance for the property. Some administrative items, such as an official 911 address for the property location, need to be completed. PWS Nasalroad mentioned a letter from Terracon requesting history information for the lot. City Clerk Wade already completed the questions for Terracon.

### **POLICE & CODES OFFICER -TATE WEST**

- Interdiction for the protection of children, Jan 23-24 in Topeka, KS, Corporal West to attend.

#### **❖ Motion**

**Council Member Curtis motioned to send Corporal West to the interdiction for the protection of children training, Jan 23-24 in Topeka and the city to pay for (1) night stay and meal expenses. Motion seconded by Council Member Stoker voted on, passed 4-0.**

### **PUBLIC WORKS DEPARTMENT – PUBLIC WORKS SUPERINTENDENT (PWS) DAN NASALROAD**

- PWS Nasalroad discussed the Lincoln Street washout. Concrete will be delivered in a couple weeks.
- Sewer repair which had been approved earlier this year (Jim Thompson-Double Eagle Excavating) at 4<sup>th</sup>/5<sup>th</sup> and Lincoln has been completed. Pictures were taken for files. A total of (4) connections to houses.
- Mayor Sullivan inquired about the patch at 1<sup>st</sup> and Market where the contractors cut through the street. PWS Nasalroad will review.

## **REPORTS OF CITY OFFICERS CONT:**

### **FIRE DEPARTMENT – FIRE CHIEF DAN NASALROAD –**

Reminded patrons of the fire dangers of plugging electric heaters in to strips. Council Member Stoker asked City Clerk Wade to publish information regarding space heaters in our next newsletter.

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

## **CITY CLERK (CC) – JODI WADE -**

- o) Gift Cards/Calendars have been issued to employees and Holiday bonuses for Full-time employees will be issued next payroll.
- p) City hall and Trash Compactor closed on Tuesday, Dec 24<sup>th</sup>, and Wednesday, Dec 25<sup>th</sup>, and Jan 1<sup>st</sup>.
- q) City Clerk Wade on behalf of the city staff would like to ask the Council to waive the Community Building fee for the Nasalroad family funeral meal.

### **❖ Motion**

**Council Member Stoker motioned to waive the community building fee for the Nasalroad family. Motion seconded by Council Member Capp voted on, passed 4-0.**

## **COUNCIL COMMITTEE REPORTS:**

**WATER & GAS –NONE**

**STREET –NONE**

**SEWER–NONE**

**PARK–NONE**

**CEMETERY –NONE**

**PUBLIC SAFETY –NONE**

**COMMUNITY BUILDING–**

**EMPLOYEE RELATIONS & TRAINING - NONE**

## **SPECIAL COMMITTEE REPORTS:**

**EMERGENCY MANAGEMENT –NONE**

**SWANFEST COMMITTEE –NONE**

## **UNFINISHED BUSINESS:**

### **WATER AND GAS UTILITY CODE BOOK SECTION**

CC Wade asked the Water & Gas Committee if they could meet to determine the rates and connection/disconnection fees for the Water and Gas. Council Member Stoker and Council Member Thies said they could be available anytime after 6:00pm.

## **NEW BUSINESS:**

### **MOBILE HOME LICENSE – RICHARD AND REBECCA MARSH – 520 N 5<sup>TH</sup> ST**

### **❖ Motion**

**Council Member Stoker motioned approve the mobile home license for 2020 for Richard & Rebecca Marsh. Motion seconded by Council Member Capp voted on, passed 4-0.**

## **NEW BUSINESS CONT:**

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

## **MOBILE HOME LICENSE – BRIAN & RAMONA SLOCUM**

### **❖ Motion**

**Council Member Stoker motioned to approve the mobile home license for 2020 for Brian & Ramona Slocum. Motion seconded by Council Member Curtis voted on, passed 4-0.**

## **MOBILE HOME LICENSE – RYAN HILL – 7<sup>TH</sup> AND SYCAMORE/VINE**

### **❖ Motion**

**Council Member Stoker motioned to approve the mobile home license for 2020 for Ryan Hill. Motion seconded by Council Member Capp voted on, passed 4-0.**

## **DOUGLAS PUMP SERVICE**

CC Wade reviewed the quote from Douglas Pump for the ABS Pump at the Park Lift Station. The motor windings were bad. It needs to be reassembled with new motor windings, bearings, seals, o-rings and gaskets. Price to rebuild is \$6011.00. The price to replace is 11345.50. Council Member Thies asked about the warranty period for the rebuilt motor vs. new motor. PWS Superintendent Nasalroad will get the information on the warranty.

## **DOLLAR GENERAL STORE CEREAL MALT BEVERAGE LICENSE 2019 & 2020**

Council Member Curtis asked if the local Liquor Store owner who attended the previous meeting had been informed of the Kansas Statute regarding the procedure for licensing and per the statute, a City Council can only deny licenses for items not being met on the application. City Clerk Wade stated she visited with Frankie Elder after the last Council meeting.

### **❖ Motion**

**Council Member Stoker motioned to approve the Cereal Malt Beverage License for 2019 and for 2020 for the Dollar General Store #13598. Motion seconded by Council Member Capp voted on, passed 4-0.**

## **EXECUTIVE SESSION:**

### **❖ Motion**

**Council Member Stoker motioned to go into executive session for 15-minutes for non-elected personnel matter exception to conduct employee reviews. Motion seconded by Council Member Thies voted on, passed 4-0. 6:42pm**

Others in attendance included, but not limited to: Police Chief West, City Clerk Wade, and City Attorney Harding.

**Open Session resumed at 6:59pm**

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

## **EXECUTIVE SESSION CONT:**

### **❖ Motion**

**Council Member Curtis motioned to go into executive session for discussion of employer-employee negotiations. Motion seconded by Council Member Capp voted on, passed 4-0. 6:59pm**

Others in attendance included, but not limited to: City Clerk Wade

## **Open Session resumed at 7:05pm**

## **OTHER BUSINESS**

Chief Tate West announced he will be going on an extended leave of absence for medical reasons. He asked the Council to move him to Assistance Chief of Police effective December 20, 2019 so the City could advertise for the Chief of Police position. Council Member Stoker started to make motion for moving Chief Tate West, but CC Wade interrupted the motion to ask the City Attorney if the Mayor would need to make the motion since the Chief of Police is an appointed position. Mayor Sullivan asked for a motion to take a break in order for City Attorney Harding and City Clerk Wade to review the statutes.

### **❖ Motion**

**Council Member Curtis motioned to take a 15-minute break to allow City Attorney Harding and City Clerk Wade to review the Kansas Statutes. Motion seconded by Council Member Stoker voted on, passed 4-0. 7:09pm**

## **Open Session resumed at 7:30pm**

## **OTHER BUSINESS CONT:**

- Mayor Sullivan made a recommendation to remove Tate West from the position of Police Chief effective December 20, 2019.

### **❖ Motion**

**Council member Curtis motioned to remove Tate West from the position of Police Chief effective December 20, 2019. Motion seconded by Council Member Stoker voted on, passed 4-0.**

- Mayor Sullivan made a recommendation to appoint Tate West to Assistant Police Chief effective December 20, 2019.

### **❖ Motion**



# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

**Council member Curtis motioned to approve Tate West as Assistant Police Chief effective December 20, 2019. Motion seconded by Council Member Capp voted on, passed 4-0.**

## **OTHER BUSINESS CONT:**

- Mayor Sullivan made a recommendation to appoint Corporal Kurtis West as the interim Police Chief effective December 20, 2019.

**❖ Motion**

**Council member Stoker motioned to appoint Corporal Kurtis West as Interim Police Chief effective December 20, 2019. Motion seconded by Council Member Thies voted on, passed 3-1. (Nay – Council Member Curtis)**

- Advertisement for Chief of Police position.

**❖ Motion**

**Council member Curtis motioned to begin advertising for the La Cygne Chief of Police position. Motion seconded by Council Member Stoker voted on, passed 4-0.**

## **NOTES AND COMMUNICATIONS TO COUNCIL:**

a] KCC Standard Records Audit, Drug & Alcohol Field Inspection, Operator Qualification Field Inspection and Standard Field Audit Notice of Probable Noncompliance.

## **ADJOURNMENT:**

**❖ Motion**

**Council Member Stoker moved to adjourn the meeting. Motion seconded by Council Member Curtis, voted on, passed 4-0. Time 7:37pm.**

I, \_\_\_\_\_  
(Jodi Wade)  
best of  
subscribe my name  
2019.

La Cygne City Clerk, do hereby declare  
the above to be true and correct, to the  
my knowledge, and do hereby  
on this 4<sup>th</sup> of December

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

## **REGULAR MEETING:**

The La Cygne City Council met on Wednesday, December 18, 2019 at La Cygne City Hall. Council Members present were: Danny Curtis; Thomas Capp; and James Thies. Absent- Jerome Mitzner and Keith Stoker

Others in attendance included, but not limited to: City Clerk Jodi Wade; City Attorney Burton Harding; Linn County News Tony Furse; Public Works Superintendent/Fire Chief Dan Nasalroad; Corporal Kurtis West, and Deb Wilson.

## **CALL REGULAR MEETING TO ORDER (6:00 P.M.)**

Pledge of Allegiance – City Clerk Wade

## **2019 LA CYGNE AMENDED BUDGET HEARING**

Notice of Amended Budget Hearing (Final Draft Packet at Table)

- i. Open Amended Budget Hearing
- ii. Comments from the Public - NONE
- iii. Close Amended Budget Hearing

### **❖ Motion**

**Council Member Curtis motioned to approve the 2019 Amended Budget as presented. Motion seconded by Council Member Capp voted on, passed 3-0.**

## **MAYOR'S COMMENTS:**

- Merry Christmas to our patrons and be sure they have a safe New Years' Eve celebration.
- City Hall and Trash Compactor will be closed on Dec 24, Dec 25 and Jan 1.
- First Council meeting of January will be held on January 2, 2020 at 6pm due to the New Years Holiday. The meeting will be held in the Community Building since Municipal Court is being held in the La Cygne City Hall.
- City Clerk Wade reminded the Council of the meeting on January 13, 2020 meeting.

## **CONSENT AGENDA:**

### **❖ Motion to approve Consent Agenda:**

**Council Member Curtis motioned to accept the Consent Agenda as presented.**

Minutes of December 4, 2019 City Council Meeting;  
November 2019 Treasurer's Report;  
November 2019 Budget Report;

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

Check Register: December 05 - 18, 2019

**Motion seconded by Council Member Thies, voted on, passed 3-0.**

## **DISCUSSION FROM THE FLOOR:**

- Deb Wilson addressed the Council about the concerns expressed by citizens of the danger exiting from Casey's on to Highway 152. She also inquired about the "double yellow lines" on Commercial St/Broadway St (Historic downtown area). Discussion was held. PWS Nasalroad will research.

## **SPECIAL PROJECTS:**

**Report from Public Works Superintendent (PWS) – Dan Nasalroad**  
**Report from City Clerk (CC) – Jodi Wade**

## **WATER DISTRIBUTION LINE-**

- **Water Improvement Project Contractor Orr-Wyatt Streetscapes Final Pay Application #29 in the amount of \$16,109.84.** City Clerk Wade informed the Council of the completion of the punch list items. Orr Wyatt is mailing a check for \$1200 and a release waiver for the invoices due to Double Eagle Excavating for repairs to service line connections to the new meters are 324 Chestnut, 401 7<sup>th</sup> St and a Stainless steal clamp for a repair next to the County Barn on Sycamore and 4<sup>th</sup> street. PWS Nasalroad said he was satisfied with the punch list items and advised the Council the City would be responsible from here forward for any dirt settling and/or gravel needs. Syd's Market at 602 East Market St will be taken care of by Double Eagle excavating. CC Wade spoke with Orr-Wyatt to confirm the 2" tap location for Syd's Market.

### **❖ Motion**

**Council Member Curtis motioned to pay Orr-Wyatt Streetscapes final pay application in the amount of \$16,109.84 upon receipt of the check from Orr-Wyatt for the invoices to Double Eagle excavating in the amount of \$1200. Motion seconded by Council Member Capp, voted on, passed 3-0.**

## **COMPLETION OF WORK CERTIFICATE, RELEASE OF FINAL SURETY(BOND) AND CONTRACTORS AFFIDAVIT**

### **❖ Motion**

**Council Member Curtis motioned to allow Mayor Sullivan to sign the Completion of Work Certificate for the Water Improvement project Phase 2. Motion seconded by Council Member Capp, voted on, passed 3-0.**

## **WATER TREATMENT PLANT**

- **Water Treatment plant contractor Shelley Electric pay request #8 in the amount of \$38,034.23.** Mayor Sullivan confirmed upon the payment of

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

the \$38,034.23 the remaining balance of retainage would be \$56,048.30. CC Wade concurred.

❖ **Motion**

**Council Member Capp motioned to pay Shelley Electric pay application 8 in the amount of \$38,034.23. Motion seconded by Council Member Thies, voted on, passed 3-0.**

## **SPECIAL PROJECTS CONT:**

### **WATER TREATMENT PLANT**

Council Member Curtis asked City Clerk Wade to review the invoices to see if the City was being billed for an Inspector on the Water Treatment Plant.

Mayor Sullivan asked about the bulk water salesman status. PWS Nasalroad informed the Council the timer piece was to be delivered back to the plant the end of this week and installed/tested by the contractor again. PWS Nasalroad has concerns about the product and supplier due to the shortage of necessary repair parts. Updates will follow upon repair.

## **REPORTS OF CITY OFFICERS:**

### **CITY ATTORNEY –BURTON HARDING**

City Attorney Harding completed the requests from Verizon on the lease agreement. Both parties are in agreement with the terms. City Attorney Harding has reviewed the USDI Contract agreement and submitted some items for USDI to add to the contract.

### **POLICE OFFICER -KURTIS WEST**

- Reviewed Report at the table.
- Pipeline Safety Training, January 15, 2020 in Ft. Scott. Corporal West, Utility Clerk Gore and Fire Chief Nasalroad to attend. No fee for training, only travel expense.

❖ **Motion**

**Council Member Capp motioned to send Corporal West, Utility Clerk Gore and Fire Chief Nasalroad to the Pipeline Safety training, January 15, 2020 in Ft Scott. Motion seconded by Council Member Thies voted on, passed 3-0.**

- Children's Coalition Annual Donation. CC Wade advised the Council we had 97 convictions in 2019 and in the prior years we have donated \$3 per conviction. Total donation would be \$291.00

❖ **Motion**

**Council Member Curtis motioned to approve a \$291 donation to the Children's Coalition. Motion seconded by Council Member Thies voted on, passed 3-0.**

### **PUBLIC WORKS DEPARTMENT – PUBLIC WORKS SUPERINTENDENT (PWS) DAN NASALROAD**

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

- PWS Nasalroad received the concrete rock to perform the repairs on Lincoln Street where the flood water washed out the rip-rap around the culvert and edge of road.
- PWS Nasalroad missed out on a used dump truck. PWS Nasalroad asked the Council if they would approve up to \$30,000 for the purchase of a used Dump Truck so if something comes available then we have a better chance to act quick. Good used dump trucks are hard to find and they sell quick. Council Member Curtis expressed his objections to allowing the purchase of a vehicle to be acted upon without Council approval first and would prefer to have a special meeting called to give approval for spending the tax payers dollars. PWS Nasalroad expressed his due diligence to perform his duties in the best interest of the city and use of the tax payers dollars. Further discussion was held and no action was taken.

## **REPORTS OF CITY OFFICERS CONT:**

### **PUBLIC WORKS DEPARTMENT CONTINUED – DAN NASALROAD**

Mayor Sullivan asked about plowing snow. PWS Nasalroad said he follows the weather forecast to determine when to plow/salt. We have to be conservative on our sand supply. The blade on the 1-ton and a small blade on the uni-loader are all we have to move snow. Council Member Thies asked if we had a blade for the backhoe and the city does not. PWS Nasalroad said we have lost several of the locations in which we used to push snow to pile. Now we have to form a pile and then load the snow in to the Dump truck to haul to a lot to clear.

### **FIRE DEPARTMENT – FIRE CHIEF DAN NASALROAD –**

None

### **CITY CLERK (CC) – JODI WADE –**

- I. **Discussion was held regarding the Chief of Police position.** The following items were addressed.
  - Reviewing the Chief of Police job description.
  - Permanent residency within 10 miles of the corporate limits of the city.
  - Code Enforcement Officer opening. Appoint an interim Codes Officer to sign permits.
  - Form an Interview Committee which includes (1 or 2) Council Member(s), Public Works Superintendent, and Court Clerk.

Council Member Curtis asked CC Wade to advertise the Chief of Police position with Codes Enforcement Officer duties included.

Council Member Capp asked CC Wade to research the Code Enforcement Officer position in other communities our size and what type of training requirements there might be for a person handling those duties. Council member Curtis asked CC Wade to find out from Tate West how many hours were spent on Codes work in the past. Council Member Capp asked Corporal West if he would be interested in performing the duties of the Codes Enforcement Officer until the Chief of Police Position was filled. Corporal West advised the Council he would be OK with handling those duties.

❖ **Motion**

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

**Council Member Curtis motioned appoint Corporal Kurtis West as the interim Codes Enforcement Officer until the Chief of Police position is filled. Motion seconded by Council Member Thies voted on, passed 3-0.**

- II. **Christmas lights for 2020** – CC Wade discussed options to repair electric plugs/replace Elements/brackets. Discussion was held on contracting out the responsibility to store/hang Christmas lights or if the City was capable to rent a Lift (\$218/day) and perform the task of putting the lights on the poles. Dreamscape estimate for 2020 to just hang & remove lights not hanging brackets or taking down banners \$875. CC Wade would need to check if this includes the snowflakes on Commercial and the ones on Hwy 152. Council Member Capp suggested using the fees from the lease of the new Verizon tower to help with the cost for Christmas pole electric repairs and replacement of lights. CC Wade also advised the Council of assistance from Lincoln Township board is also a possibility.

## **REPORTS OF CITY OFFICERS CONT:**

### **CITY CLERK (CC) – JODI WADE –**

- III. **Fellowship/Internship program for City Hall clerk position.**  
CC Wade suggested the City establish a 2-year Fellowship/Internship program, 32-36 hrs/week, Permanent-Part time position, KPERS, and health insurance (70/30 split for premiums), must be completing a B.A. or M.B.A in Business/Finance/Management or Administration, and starting pay rate of \$12-\$14/hr. No comments were made.

## **COUNCIL COMMITTEE REPORTS:**

**WATER & GAS –NONE**

**STREET –NONE**

**SEWER-NONE**

**PARK-NONE**

**CEMETERY –NONE**

**PUBLIC SAFETY -NONE**

**COMMUNITY BUILDING-**

**EMPLOYEE RELATIONS & TRAINING - NONE**

## **SPECIAL COMMITTEE REPORTS:**

CC Wade informed the Council of an opening on the La Harper Heights Board and a soon to be opening on the Planning & Zoning Commission.

**EMERGENCY MANAGEMENT –NONE**

**SWANFEST COMMITTEE -NONE**

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

## **UNFINISHED BUSINESS:**

### **VERIZON LEASE AGREEMENT**

CC Wade and City Attorney Burton Harding have completed the request from Verizon which included an address for the property, confirmation to list Verizon as an additional insured on the insurance policy and contact information for reports. Council Member Capp confirmed with City Attorney Harding that he was satisfied with the agreement.

#### **❖ Motion**

**Council Member Capp motioned to approve the Verizon Lease Agreement for property located at 419 South 5<sup>th</sup> Street for the amount of \$6000/year as presented. Motion seconded by Council Member Thies voted on, passed 3-0.**

### **DOUGLAS PUMP PROPOSAL FOR PARK LIFT STATION PUMP**

CC Wade reviewed the warranty period of 90 days for a rebuilt pump and 5-year prorated warranty for a new ABS Pump. This new pump would replace the ABS (S/N 21597) pump at the park.

#### **❖ Motion**

**Council Member Thies motioned to buy a new ABS Pump for \$11,345.50 from Douglas Pump to replace (1) of the Park Lift Station pumps. Motion seconded by Council Member Capp voted on, passed 3-0.**

## **NEW BUSINESS:**

### **APPOINTMENT OF LA CYGNE PARK BOARD MEMBER**

CC Wade informed the Council of a letter of interest from Maggie Riley for a position on the La Cygne Community Park Board. Jodi Wade and Joe Turpen will not be renewing their position on the board. The City will need to advertise for a person to replace Joe Turpen.

#### **❖ Motion**

**Council Member Thies motioned to appoint Maggie Riley to the La Cygne Community Park Board effective January 1, 2020. Motion seconded by Council Member Curtis voted on, passed 3-0.**

### **AUTHORITY TO TRANSFER EXCESS FUNDS**

CC Wade reviewed the 2019 Transfer sheet and the 2019/2020 Project Proposal plans established by the City Council during the Budget workshops. Council Member Thies asked CC Wade to explain the process at year end with excess funds. Council Member Capp inquired about any foreseen expenses in 2019 such as a Dump Truck for Public Works. Discussion was held regarding reserve funds.

#### **❖ Motion**

**Council Member Thies motioned to transfer \$70,000 from the general fund to the Fire Capital Improvement Fund and of the remaining excess funds transfer 50% to the Capital Improvement Fund and 50% to the Equipment reserve. Motion seconded by Council Member Capp voted on, passed 3-0.**

# **Record of the Proceedings of the Governing Body 2019 MEETING MINUTES**

## **USDI OPERATING AGREEMENT**

City Attorney Harding and CC Wade reviewed the operating agreement. Redlined items were sent back to USDI for review. Item Tabled until January 2, 2020 meeting.

## **EXECUTIVE SESSION:**

### **❖ Motion**

**Council Member Curtis motioned to go into executive session for 8-minutes for discussion of employer-employee negotiations. Motion seconded by Council Member Thies voted on, passed 3-0. 7:55pm**

Others in attendance included, but not limited to: Corporal West, City Clerk Wade, and City Attorney Harding.

## **Open Session resumed at 8:08 pm**

### **❖ Motion**

**Council Member Capp motioned to go into executive session for 4-minutes for discussion of employer-employee negotiations. Motion seconded by Council Member Curtis voted on, passed 3-0. 8:10pm**

## **EXECUTIVE SESSION CONT:**

Others in attendance included, but not limited to: City Clerk Wade

## **Open Session resumed at 8:19 pm**

## **OTHER BUSINESS**

## **NOTES AND COMMUNICATIONS TO COUNCIL:**

## **ADJOURNMENT:**

### **❖ Motion**

**Council Member Curtis moved to adjourn the meeting. Motion seconded by Council Member Thies, voted on, passed 3-0. Time 8:20 pm.**



