

**REGULAR MEETING:**

The La Cygne City Council met on Wednesday, March 17, 2021 at the La Cygne Community Building. Council Members present were: James Thies; Danny Curtis; Keith Stoker; and Jerome Mitzner. Absent: Thomas Capp

Others in attendance included, but not limited to: City Clerk (CC) Jodi Wade; City Attorney Burton Harding; Public Works Superintendent (PWS) Dan Nasalroad; Police Chief Fenoughty; County News Tony Furse; Gary Beachner; Jared Jacobs; Emil Wilson.

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

Pledge of Allegiance – Mayor Debra Wilson

**MAYOR COMMENTS:**

- Mayor Wilson indicated the City has a busy year ahead with some upcoming projects on the sewer and KDOT CCLIP project. Some of the events which did not occur last year due to COVID-19 will be happening this year. The City will have the annual Dog Days on March 27, 2021 from 10am until noon at the La Cygne Community Building. The Easter Egg hunt is scheduled for April 3, 2021 and eggs can be dropped off at the La Cygne Library or the La Cygne City hall. Swanfest and other events will be scheduled for this year. Please call City hall for information.

**CONSENT AGENDA:**

❖ **Motion to approve Consent Agenda:**

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

Minutes of March 3, 2021 City Council Meeting;  
February 2021 Budget Report;  
February 2021 Treasurer's Report;  
Check Register: March 3 – March 17, 2021;

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

**DISCUSSION FROM THE FLOOR:**

❖ **Motion**

**Council Member Mitzner motioned to go in to executive session for 20-minutes for trade secrets and will return to the Council table at 7:24pm. Motion seconded by Council Member Stoker voted on, passed 4-0. 7:04pm**

Others in attendance included, but not limited to: City Attorney Harding, CC Wade, PWS Nasalroad, Gary Beachner and Jared Jacobs.

**OPEN SESSION RESUMED AT 7:24pm:**

❖ **Motion**

**Council Member Mitzner motioned to go in to executive session for 5-minutes for trade secrets and will return to the Council table at 7:30pm. Motion seconded by Council Member Stoker voted on, passed 4-0. 7:25pm**

Others in attendance included, but not limited to: City Attorney Harding, CC Wade, PWS Nasalroad, Gary Beachner and Jared Jacobs.

**OPEN SESSION RESUMED AT 7:30pm:**

**SPECIAL PROJECTS:**

**WATER PLANT SETTLING POND PROJECT (MIDWEST ENGINEER GROUP)**

PWS Nasalroad has located all 4 corner pins for the property. There are some items to be addressed along the East line of the property for the new pond location. Bore soil samples were taken to Terracon for evaluation. Midwest Engineering will review the information received from Terracon.

**SEWER REHABILITATION PROJECT (BG CONSULTANTS)**

PWS Nasalroad evaluated 4<sup>th</sup> street to determine if we extend the sewer main would it be located on the side of the existing street or down the center of the street in line with the existing main. BG Consultants and City Clerk Wade participated in a Zoom meeting with USDA representative, Mike Billings, to review financial approach for the additional new main. Mike Billings indicated it would be handled separate from the existing project since it is a "new" main. Our current project is rehabilitation. Mike stated environmental reports would be necessary for a new main. BG Consultants will put together a preliminary cost report for the City to review.

In regards to 4<sup>th</sup> Street, Paul with BG Consultants is reviewing the KDOT Cost Share program which just received more funding from the federal Coronavirus response and relief supplemental appropriations act of 2021. The Cost Share program will reduce its local match requirement from 15% to 10% - this application cycle only. Application is due by April 9, 2021. CC Wade reached out to Jackie Messer and Rick James since 4<sup>th</sup> street is an inter-connect with the County. Council Member Curtis brought up some concerns with patrons tapping the new sewer main and cutting in to a new \$1.2 million dollar road. Council Member Curtis suggested tapping the main now and extending a capped lateral over to the plats for future connection. The Council concurred to have CC Wade and PWS Nasalroad continue to review the financial and construction implications for this project to present to the Council.

**STREET PROJECT – KDOT CCLIP PROJECT AT KS HWY 152 AND INDUSTRIAL ROAD (BG CONSULTANTS)**

Final drawings are being reviewed by KDOT for bid letting. PWS Nasalroad is working with USDI to proceed forward with moving the gas main. BG Consultant, Jason Hoskinson, inquired about continuing to be available during the construction just on an hourly cost basis if any concerns would arise regarding the design?

**SPECIAL PROJECTS CONTINUED:**

**SEWER LAGOON ANALYSIS: (BARTLETT & WEST)**

CC Wade submitted the signed agreement to Bartlett & West along with the request for completion by April 7. Bartlett & West evaluated their current schedule for their team members and responded with a completion of Task 1 by April 3 and a completion of Task 2 & 3 by April 30, 2021. They requested the necessary plans and information from the City for evaluation to be sent to them by March 10 in order to maintain the requested schedule. CC Wade emailed all information by March 9. The process has started for Task 1 in the scope of work.

**REPORTS OF CITY OFFICERS:**

**CITY ATTORNEY –BURTON HARDING**

City Attorney Harding reviewed the following report:

- Municipal Court
- Meeting with the Library Board RE: Water issue
- Research on property issues as they pertain to the new Settling Pond
- Review draft of letters to be sent to property owners adjacent to new Settling Pond.

**CHIEF OF POLICE – TINA FENOUGHTY**

**16 Traffic Stops Conducted**

**Citations issued since last meeting**

Speed in School Zone	1	Revoked DL	0
Stop Sign	0	Illegal Tag	1
Expired DL	0	No DL	0
Expired Tag	0	Speed	0
Vicious Dog/RAL	0	Insurance	2
Seatbelt	0	Suspended DL	0

**Calls for Service / Reports – 03/01/2021 thru 03/16/2021**

Animal Complaint – 12	Warrant Arrests - 2
CINC – 1	Civil Matter / Child Custody Standby – 0
Criminal Threat – 1	Citizen Assist CFS / contact - 11
Theft – 1	Juvenile Incident – 2
Check Welfare – 2	Drug Case– 1
Follow Up – 9	Non-Injury Accident – 1
Suspicious Activity – 2	Pedestrian Check – 2
Aggravated Assault – 1	Mental Health Emergency - 3
Domestic / Battery - 1	Ambulance - 5

Codes Enforcement

**VIN Inspections-** 2 completed

**New Business** - None

**Accrued Overtime for Department:** Accrued overtime for last pay period =14 hours

**REPORTS OF CITY OFFICERS CONTINUED:**

**CODES OFFICER – INTERN ALLISON FOX (NOT PRESENT – REPORT SUBMITTED)**

Report from 3/4/2021 through 3/17/2021

- (12) Nuisance letters
- (15) INOP letters
- (1) Hold

**PUBLIC WORKS DEPARTMENT – PUBLIC WORKS SUPERINTENDENT (PWS) DAN NASALROAD**

Report from 3/4/2021 to 03/17/2021

**Committee discussions**

**Water and Gas:**

- Gas inspection will be April 28<sup>th</sup>.
- Sent soil samples to Terracon for the pre-sedimentation pond project.
- Working on estimates for larger gas and water service to Rivers Lodge.
- Trying to get the gas main relocated for the CCLIP project. Looks like the second week in April.
- All completed the annual gas recertifications.

**Street:**

- Preliminary plans on two street projects.
- Skid steer has been repaired and back in service.
- Looking into different patch material options for this year.
- Cleaned road culverts to try and get some drainage, there are a lot of driveway culverts that are plugged.

**Sewer:**

- New lift station pump is repaired and will be installed this Friday.
- Check valves installation has been halted as we need two valves at the Park lift station.
- Met with engineer on the sewer project extensions. Paul with BG Consultants talked a little about the 4<sup>th</sup> street repairs after the sewer project.
- Sewer mains are running at full capacity with all this rain.

**Park:**

- Purchased 32 cubic yards of mulch for the north park from Johnson County Topsoil for the playground area for \$1200. Will install when it dries out.
- When the ground is dry enough we will be widening the parking about 22 feet to the East and install parking blocks.

**Cemetery:**

- Executive session request.

❖ **Motion**

**Council Member Mitzner motioned to go in to executive session for 10-minutes for non-elected personnel matter for employee's performance and will return to the Council table at 8:10pm. Motion seconded by Council Member Stoker voted on, passed 4-0. 8:00pm**

**REPORTS OF CITY OFFICERS CONTINUED:**

**PUBLIC WORKS DEPARTMENT – PUBLIC WORKS SUPERINTENDENT (PWS) DAN NASALROAD**

**Cemetery:**

Others in attendance included, but not limited to: City Attorney Harding, CC Wade, and PWS Nasalroad.

**OPEN SESSION RESUMED AT 8:10pm:**

❖ **Motion**

**Council Member Mitzner motioned to give cemetery caretaker Bruce Snyder a \$1.00 raise starting with the 2021 mowing season. Motion seconded by Council Member Stoker voted on, passed 4-0.**

**FIRE DEPARTMENT – FIRE CHIEF DAN NASALROAD**

- Received conceptual drawing and cost estimates for the station, I have not had time to review them.

**CITY CLERK – JODI WADE**

Report from 3/4/2021 – 3/17/2021

**City Clerk**

- Virtual meeting with Paul Owings, BG Consultants, and Mike Billings, USDA, regarding financial options for sewer main extensions on 4<sup>th</sup> street and Grand Ave on March 4, 2021.
- Attended Planning & Zoning workshop regarding Article 22 on March 4, 2021.
- Virtual meeting with ECCHIC group regarding health insurance/pharmacy options.
- Attended Rural Water District meeting on March 9, 2021.
- Attended Chamber of Commerce meeting on March 10, 2021.
- Attended a meeting with the La Cygne Library board, Finkle Williams architect, and Meyer Brothers Construction regarding the pooling water/north parking on March 10, 2021.
- Met with Linda Elder, Park Board Chairman, to review communication between the Park and the City Hall on March 4, 2021.
- Attended Planning & Zoning meeting on March 11, 2021.
- Reviewed monthly budget.
- Virtual meeting with League of Municipality on Friday, March 12, 2021 regarding the American Rescue Plan and Senate Bill 13.
- Virtual meeting on Tuesday, March 16 with the Kansas office of Recovery regarding the American Rescue plan.
- Participating in the CCMFOA conference March 16 – 19, 2021.

**Office Assistant**

- Attended Chamber of Commerce meeting.
- Handled technical issues with the computer and printers.
- Preparing Newsletters for mailing.
- Accounts Payable/Payroll.
- Received and reviewed 1<sup>st</sup> shipment of Christmas Pole Light decorations.
- Reconciliation of Quicken.

**REPORTS OF CITY OFFICERS CONTINUED:**

**CITY CLERK – JODI WADE**

- Worked on Facebook/Website.
- Receipt management/ Front Counter.

Overtime Hours for City Hall for the last pay period: 7 hours Jodi

❖ **Motion**

**Council Member Mitzner motioned to give Office assistant Katie Russell a raise from \$12.50 to \$13.50 for 1 year of service. Motion seconded by Council Member Stoker voted on, passed 4-0.**

**COUNCIL COMMITTEE REPORTS:**

**WATER & GAS -**

- CC Wade has not received the Gas invoice yet. KMGGA is waiting for one more invoice to make sure the dollar amount for the City's invoice is accurate. KMGGA is billed weekly for the Gas and typically invoices the City only once a month. In this situation, KMGGA wants to see all of the invoices for the month of February before they issue out their invoice.

**STREET -**

- (Postponed until Fall 2021) RFP for Stormwater Master Planning.
- (In Committee review) Council Member Mitzner, City Attorney Burton Harding and CC Wade met with the La Cygne Library Board representatives (George Nunnemacher and Les LeMaire), Janet Reynolds, Chris Waddell, Finkle & Williams Architects (Dave Williams and Rebecca Roberts), Meyer Brothers Construction (Dino Simmermon), and Greg Grant (surveyor) on Wednesday, March 10<sup>th</sup> at 5:30pm. Discussion was held to review the water pooling issue on the North end of the Library property where a new on-street parking area was built. On March 11, 2021 CC Wade emailed requested information to include: Variance permit information, Zoning regulations regarding storm-water, City Code information regarding storm water (ditches) and pictures of the water from a rain event (photos were taken on 3.10.21 immediately after a 25-30 minute rain event). Council Member Mitzner stated the committee is waiting to hear what ideas the architects might have to help resolve the problem.

**SEWER-NONE**

**PARK-**

Council Member Curtis informed the Council the Park Board met with the Library Board on March 9, 2021 to discuss a "story walk" in the park. This would be posts containing pages from a book along a sidewalk that patrons could walk along and read. Mayor Wilson commented it sounded like a very neat idea.

**CEMETERY -**

- (Postponed until January 2021) Chapter XI. Public property, Article 1. Cemetery regulations. No meeting scheduled to date.

**PUBLIC SAFETY –NONE**

**COUNCIL COMMITTEE REPORTS CONTINUED:**

**COMMUNITY BUILDING-**

- Rental of the Community Building to the Public. CC Wade presented the current rental form and the new rental form. Discussion was held regarding the rental fees, refundable deposits and a cleaning fee. CC Wade adjusted the "front area only" fee to match the park shelter reservation fee which was \$40 rental fee and \$50 refundable deposit. Council Member Thies suggested to use the term "disinfecting fee" for the \$100 charge for groups over 45 people so they still understood they needed to clean the building after their use. CC Wade suggested adding the word "damage" to refundable deposit to make it clear it could be kept if damage is found. Council Member Mitzner indicated the challenge for having a fee for use for the community building since there are meeting rooms available around town which are free for use. Mayor Wilson indicated the community building is the only one at this time which allows alcohol at the events which can sometimes result in potential for damage.
- CC Wade asked the Council about a seasonal position for an Event coordinator for the Community building who would be responsible for greeting the groups, showing them the building and location of tables/chairs and cleaning items, and inspect the building after use. It would only require about 2-3 hours of a person's time on the weekend. CC Wade suggested high school students but Council Member Mitzner suggested a retired person. The Council approved for CC Wade to put together a job description and reach out to the community.

❖ **Motion**

**Council Member Curtis motioned to reopen the Community Building to the public for rental on April 1, 2021 using the new rental contract and fees. Motion seconded by Council Member Stoker voted on, passed 4-0.**

**EMPLOYEE RELATIONS & TRAINING –**

- (Postponed until Spring 2021) -Ethics/Public Service Training.
- City Officials training on March 19, 2021 sponsored by Lauber Municipal Law, LLC. Attendees include: Allison Fox, Katie Russell, Jerome Mitzner and Keith Stoker. Mayor Wilson stated she would stop in on the training.

**SPECIAL COMMITTEE REPORTS:**

**EMERGENCY MANAGEMENT -NONE**

**SWANFEST COMMITTEE –**

Chamber of Commerce is looking for volunteers to help with Swanfest. Easter Egg hunt is scheduled for Saturday, April 3, 2021. City Hall is available for egg drop off.

**LA CYGNE COMMUNITY PARK BOARD –**

Linda Elder, Chairman, informed the City Hall that the Board approved for the Christmas pole light decorations and the Thayer Park Christmas decoration totes to be stored in the smaller maintenance shed on the East side of the park for the next 2 years (2021/2022).

**PLANNING & ZONING COMMISSION (PZC) -**

Unapproved minutes March 11, 2021.

**UNFINISHED BUSINESS:**

**ORDINANCE NO. ANNEXING LAND TO THE CITY OF LA CYGNE, KS – TABLED UNTIL APRIL 7 2021 MEETING.**

**RESOLUTION NO. 02-17 REGARDING MAINTENANCE OF STREETS WITHIN THE LINN COUNTY INDUSTRIAL PARK, LA CYGNE, KS. TABLED UNTIL APRIL 7, 2021 MEETING.**

**EMPLOYEE POLICY & GUIDELINES**

Tabled until summer 2021.

**WATER CONSERVATION PLAN**

Tabled until summer 2021.

**NEW BUSINESS:**

**TRULY INSURANCE POLICY FOR APRIL 1, 2021 THROUGH APRIL 2022**

CC Wade reviewed Truly Insurance Policy renewal for April 1, 2021 through April 1, 2022. Increase amount is \$6,240. CC Wade presented to the Council a breakdown of the property coverage, inland marine coverage and auto coverage. CC Wade advised the Council and Department supervisors to review each area of coverage to determine some possible changes. CC Wade reached out to other cities to determine some of the other Insurance providers for municipalities, most were under EMC insurance. CC Wade did receive the name of (3) other insurance providers and can reach out for a cost package comparison over the next year.

❖ **Motion**

**Council Member Mitzner motioned to renew the insurance policy from Truly Insurance for the period of April 1, 2021 to April 1, 2022 in the amount of \$54,496. Motion seconded by Council Member Stoker voted on, passed 4-0.**

**KANSAS OFFICE OF RECOVERY REGARDING THE AMERICAN RESCUE PLAN**

Kansas Office of Recovery will offer two webinars on Tuesday, March 16 at 3:00pm and Wednesday, March 17 at 10:30am regarding the American Rescue Plan. The American Rescue Plan was signed into law last week. It provides funding to all states with Kansas receiving approximately \$1.568 billion. Cities are set to receive \$424 million and counties will receive \$565 million. Cities over 50,000 population and counties will receive the funds directly from the U.S. Treasury within 60 days. For cities under 50,000 population, the funds will go to the state and be distributed within 60 days. The state of Kansas has 30 days to distribute the funds. At this time, the dollar amounts for each County or City have not been calculated or released.

**HOUSE BILL 294/SENATE BILL 13**

House Bill 294/Senate Bill 13: Senate Bill 13 was passed last week. It is now headed to the Governor for approval/veto. This bill will remove the tax lid. State will pay first two years of statements. If a city wants to increase property taxes more than the prior year (based on the dollar amount), the city would issue a statement (listing of reasons for increase and exact dollar amount) for public hearing to allow people to address. CC Wade will continue to update the Council as more information comes forward.

**NEW BUSINESS CONTINUED:**

**TRASH COMPACTOR CLOSED ON EASTER SUNDAY, APRIL 4, 2021**

❖ **Motion**

**Council Member Curtis motioned to close the trash compactor on Sunday, April 4, 2021. Motion seconded by Council Member Mitzner voted on, passed 4-0.**

**EXECUTIVE SESSION:**

❖ **Motion**

**Council Member Mitzner motioned to go in to executive session for 5-minutes for discussion of data relating to financial affairs or trade secrets and will return to the Council table at 9:10pm. Motion seconded by Council Member Curtis voted on, passed 4-0. 9:05pm**

Others in attendance included, but not limited to: CC Wade, City Attorney Harding and PWS Nasalroad.

**OPEN SESSION RESUMED AT 9:10pm:**

**OTHER BUSINESS:**

NONE

**NOTES AND COMMUNICATIONS TO COUNCIL:**

a] Dog days is scheduled for March 27, 2021 from 10am – Noon at the La Cygne Community Building.

b] Election packets for the November 2, 2021 election are available in the City Hall. Primary election, if required will be held on August 3, 2021.

- The City of La Cygne has (3) Council seats available in the election which are currently held by Keith Stoker, Thomas Capp and James Thies.
- Packets are due to the County Clerk by June 1, 2021 at Noon.
- Filing Fee is \$20.

**ADJOURNMENT:**

❖ **Motion**

**Council Member Curtis moved to adjourn the meeting. Motion seconded by Council Member Mitzner, voted on, passed 4-0. Time 9:13pm.**

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> day of March, 2021.