

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.)

Pledge of Allegiance – Burton Harding

MAYOR'S COMMENTS:

- a. Letters to Santa/Main Street Lights/BINGO, December 8th, 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

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 4th/5th and Lincoln has been completed. Pictures were taken for files. A total of (4) connections to houses.
- Mayor Sullivan inquired about the patch at 1st 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.

CITY CLERK (CC) – JODI WADE -

- a) Gift Cards/Calendars have been issued to employees and Holiday bonuses for Full-time employees will be issued next payroll.
- b) City hall and Trash Compactor closed on Tuesday, Dec 24th, and Wednesday, Dec 25th, and Jan 1st.
- c) 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 5TH 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:

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 – 7TH 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

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**

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, _____ 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 4th of December 2019.