

Record of the Proceedings of the Governing Body
REGULAR MEETING

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January 19, 2022

REGULAR MEETING:

The La Cygne City Council met on Wednesday, January 19, 2022 at the La Cygne Community Building. Council Members present were: Keith Stoker; Danny Curtis; David Brenneman; and Jerome Mitzner. Absent: Thomas Capp.

Others in attendance included, but not limited to: City Clerk (CC) Jodi Wade; Linn County News Tony Furse (via Zoom link) John Covey, PEC Engineers (via Zoom link), Bill Nager, Bartlett and West (via Zoom link).

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

Pledge of Allegiance – Mayor Debra Wilson

MAYOR COMMENTS:

a] Mayor Wilson reinforced her concerns with COVID taking its toll on the community of La Cygne. Mayor Wilson reminded everyone to stay safe, be responsible and respectful to others if you are experiencing signs or symptoms.

CONSENT AGENDA:

❖ Motion to approve Consent Agenda:

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

Minutes of January 5, 2022 City Council Meeting;
Minutes of January 10, 2022 City Council Meeting;
Minutes of January 10, 2022 Special City Council Meeting;
December 2021 Budget Report;
December 2021 Treasurer Report;
4th Quarter 2021 Financial Statement;
Check Register: January 6 – January 17, 2022;

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

DISCUSSION FROM THE FLOOR:

NONE

SPECIAL PROJECTS:

WATER PLANT SETTLING POND PROJECT (MIDWEST ENGINEER GROUP/STARBUCK TRUCKING, LLC)

PWS Nasalroad and CC Wade will have a construction meeting with Starbuck and MW Engineering Group sometime the first week of February 2022.

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SPECIAL PROJECTS CONTINUED:

SEWER REHABILITATION PROJECT (BG CONSULTANTS)

City Attorney Harding and CC Wade are making final review of paperwork to send to Paul Owings, BG Consultants, to forward to USDA in order to get authorization to advertise to bid.

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

Project scheduled for March 2022.

NEW FIRE STATION/PUBLIC SAFETY BUILDING

CC Wade is working with Fire Chief Nasalroad and Police Chief Fenoughty to complete the details on the application.

AMERICAN RESCUE PLAN ACT FUNDS (ARPA)

The first annual report is due April 2022. CC Wade participated in two webinars regarding the final rule released by the Dept of Treasury regarding the use of the ARPA funds. The final rule will take effect April 1, 2022. CC Wade will present at the next meeting options for the ARPA funds for the Council to consider.

HEAL GRANT PROGRAM – COMMUNITY BUILDING

The City of La Cygne was informed our Community Building revitalization project was not selected for a Historic Economic Asset Lifeline (HEAL) grant award. There were many worthy projects submitted from across the state and limited available funding made the selection process very competitive. KS Dept of Commerce is continuing to work to find new funding opportunities that could allow for future HEAL grant programs.

REPORTS OF CITY OFFICERS:

CITY ATTORNEY –BURTON HARDING: City Attorney Harding reviewed a draft of a lease agreement for 307 Swan Street. City Attorney Harding requested an executive session later in the meeting.

POLICE CHIEF – TINA FENOUGHTY : NONE

CODES ENFORCMENT – ALLISON FOX: NONE

PUBLIC WORKS DEPARTMENT – PUBLIC WORKS SUPERINTENDENT (PWS) DAN NASALROAD: NONE

CITY CLERK – JODI WADE: NONE

CC Wade thanked the community for their patience during the past week with the doors to the City Hall being locked due to COVID exposure. Mayor Wilson thanked the staff for keeping things going.

CITY TREASURER/COURT CLERK – CONNIE GORE: NONE

COUNCIL COMMITTEE REPORTS:

WATER & GAS -NONE

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COUNCIL COMMITTEE REPORTS:

STREET –

Stormwater Master Plan RFQs were received. Mayor Wilson opened the packets and announced the name of the company and where their offices were located. Request for Qualifications were received from the following companies:

Bartlett and West, Overland Park, KS
BG Consultants, Lawrence, KS
PEC (Professional Engineering Consultants), Lawrence, KS
McAfee Henderson Solutions, Lenexa, KS

The packets were given to Committee Member Mitzner. CC Wade will get a set of packets to Committee Member Capp. The committee members will review and score the firms. The top two firms will be selected for interviews to be performed on February 16, 2022.

SEWER-NONE

PUBLIC SAFETY –

Guide for Renters, Landlords and Homeowners. Committee Members Mitzner and Stoker had reviewed the information received. Committee Member Mitzner suggested to have copies printed for all of the Council to review and work through a section or chapter at a time.

COMMUNITY BUILDING-NONE

EMPLOYEE RELATIONS & TRAINING-NONE

CEMETERY – NONE

PARK

CC Wade had been contacted regarding the appointment of Brian Turpen to the Lincoln Township board on Monday, January 10 at the County Commissioners meeting. Mike Van Vlack was appointed as the trustee, Brian Turpen is the clerk and Mindy Cyr is the treasurer.

SPECIAL COMMITTEE REPORTS:

EMERGENCY MANAGEMENT -NONE

CHAMBER OF COMMERCE –NONE

PLANNING & ZONING COMMISSION (PZC) –

Meeting with IBTS for January 13, 2022 has been moved to January 27, 2022.

LA CYGNE COMMUNITY PARK BOARD(LCPB)-NONE

Mayor Wilson asked CC Wade to set a time and place for the Board of Trustee meeting between the Mayor of La Cygne and the Lincoln Township Trustee and to provide 5-year actual costs reports to review.

UNFINISHED BUSINESS:

307 SWAN STREET – PROPERTY OWNED BY LINCOLN TOWNSHIP

❖ Motion

Council Member Mitzner motioned to go in to executive session for 10-minutes for consultation with an attorney for the city which would be deemed privileged in an attorney-client relationship and will return to the Council table at 6:30 p.m. Motion seconded by Council Member Stoker voted on, passed 4-0. 6:20 p.m.

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

OPEN SESSION RESUMED AT 6:30pm:

❖ **Motion**

Council Member Mitzner motioned to go in to executive session for 5-minutes for consultation with an attorney for the city which would be deemed privileged in an attorney-client relationship and will return to the Council table at 6:35 p.m. Motion seconded by Council Member Stoker voted on, passed 4-0. 6:30 p.m.

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

OPEN SESSION RESUMED AT 6:35pm:

307 SWAN STREET – PROPERTY OWNED BY LINCOLN TOWNSHIP

City Attorney Harding addressed the Council regarding a lease agreement with Lincoln Township for a property located at 307 Swan Street. Council Member Stoker inquired if anyone has asked Lincoln Township if they have any interest in selling the property. Mayor Wilson stated she would be meeting with the Township Trustee regarding the park and could visit with the Lincoln Township Trustee at that time to find out if they are interested in selling the property and what would the price be or if not the Council can continue to work on either a lease agreement or interlocal agreement.

ORDINANCE NO. ANNEXING LAND TO THE CITY OF LA CYGNE, KANSAS

The Council reviewed the ordinance to annex in the property located at 713 Industrial Park Drive, legally known as "Twelve and one-half acres off the South side of the Southwest quarter of the Northwest quarter of Section three (3), Township twenty (20), Range twenty-four (24), containing 12 ½ acres more or less". No comments or discussion.

❖ **Motion**

Council Member Curtis motioned to approve Ordinance No. 1489 annexing land to the City of La Cygne, KS legally known as Twelve and one-half acres off the South side of the Southwest quarter of the Northwest quarter of Section three (3), Township twenty (20), Range twenty-four (24), containing 12 ½ acres more or less. Motion seconded by Council Member Stoker voted on, passed 4-0.

RESOLUTION NO. 02-17 REGARDING MAINTENANCE OF STREETS WITHIN THE LINN COUNTY INDUSTRIAL PARK, LA CYGNE, KANSAS.

This is the County's resolution regarding the maintenance of the streets within the Linn County Industrial Park. The County Commissioners would need to amend the resolution to include the East Industrial Park and the new annexed piece to include the additional street footage. CC Wade will reach out to Jessica Hightower, Linn County economic development administrator, to review.

INSTALLATION OF AN ELECTRICAL PEDESTAL IN THAYER PARK

The Chamber of Commerce meeting was postponed until February. CC Wade will reach out the Chairman prior to the meeting to get on the agenda. **(Tabled until February 2, 2022 meeting)**

NEW BUSINESS:

PURCHASE ORDER NO 2022-1 FOR TWO METAL RACKS TO HAUL AND STORE CHRISTMAS POLE LIGHT DECORATIONS.

Purchase Order No. 2022-1 in the amount of \$1,400 for two (2) metal racks to haul and store the Christmas pole light decorations. Discussion was held regarding the design configuration of the racks to insure they would not tip over and so they were universal to fit in various shed with different size garage doors.

❖ **Motion**

Council Member Mitzner motioned to approve Purchase Order No. 2022-1 for two (2) metal racks to haul and store the Christmas pole light decorations in the amount of \$1,400 to be built by TC Iron Designs. Motion seconded by Council Member Stoker voted on, passed 4-0.

ADDITIONAL 25-YEAR LEASE FOR VERIZON TOWER WHICH WAS RECENTLY BUILT

Sean Boylan with STC Towers reached out in order to determine if the City would be interested in negotiating an additional 25-year lease that is payable at the conclusion of the current 25-year lease for the Verizon tower which was recently built. **(Tabled until February 2, 2022 meeting)**

MCIMETRO REQUESTS FOR INFORMATION AND FORMS REQUIRED BY OUR CITY IN ORDER TO OCCUPY THE PUBLIC RIGHT-OF-WAY.

Randy Knox, Verizon, reached out regarding an acquisition between MCImetro Access Transmission Services LLC d/b/a Verizon Access Transmission services (MCImetro) who will acquire the fiber-optic cable of its affiliate, Verizon Wireless Services, LLC, on or around June 20, 2022. MCImetro has no plans to construct any additional fiber facilities and will not own, or operate any wireless equipment anywhere within the community. Randy will be emailing a map to CC Wade as soon as he receives it showing where the cable runs either in or near the City of La Cygne. The cable was put in sometime in the late 1990s by KFN. MCImetro requests information and forms required by our city in order for MCImetro to occupy the public right-of-way with these acquired facilities.

RESOLUTION NO. A RESOLUTION OF THE CITY OF LA CYGNE, LINN COUNTY, KS REGARDING EMPLOYEE PAID LEAVE FOR COVID-19.

CC Wade reviewed Resolution No. 426 regarding employee paid leave for COVID-19 which remained in effect until June 1, 2021. CC Wade asked if the Council wanted to extend the leave. CC Wade indicated a COVID payroll payment was issued in November 2021. Discussion was held regarding Covid leave.

❖ **Motion**

Council Member Mitzner motioned to extend Resolution No. 426 to December 31, 2021. Motion seconded by Council Member Stoker voted on, passed 4-0.

Further discussion was held regarding changes to the quarantine timeframe and documentation requirements in order to receive COVID leave pay.

❖ **Motion**

Council Member Mitzner motioned to amend the prior motion and to extend Resolution No. 426 to February 2, 2022. Motion seconded by Council Member Stoker voted on, passed 4-0.

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RECESS:

❖ **Motion**

Council Member Stoker motioned to take a 5-minute recess break so Mayor Wilson could visit with CC Wade and will return to the Council table at 7:25pm. Motion seconded by Council Member Mitzner voted on, passed 4-0. 7:20pm

OPEN SESSION RESUMED AT 7:20pm:

EXECUTIVE SESSION:

❖ **Motion**

Council Member Mitzner motioned to go in to executive session for 10-minutes for non-elected personnel matter for an individual employee's performance and will return to the Council table at 7:35 p.m. Motion seconded by Council Member Stoker voted on, passed 4-0. 7:25 p.m.

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

OPEN SESSION RESUMED AT 7:35pm:

OTHER BUSINESS:

None

NOTES AND COMMUNICATIONS TO COUNCIL:

None

GOVERNING BODY REMARKS:

None

ADJOURNMENT:

❖ **Motion**

Council Member Stoker moved to adjourn the meeting. Motion seconded by Council Member Mitzner, voted on, passed 4-0. Time 7:37 p.m.

I, _____
(Jodi Wade)

La Cygne City Clerk, do hereby declare the above to be true and correct, to the best of my knowledge, and do hereby subscribe my name on this 19th day of January, 2022.