

**REGULAR MEETING:**

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

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; Codes Officer Intern Allison Fox; Linn County News Tony Furse; Emil Wilson; and Keith Stoker.

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

Pledge of Allegiance – Mayor Debra Wilson

**MAYOR COMMENTS:**

- Mayor Wilson reported on the unusually cold temperatures and the limited supply of natural gas. We had a special emergency meeting yesterday to discuss and make an action plan. We put together and Emergency Order flyer which was taken door-to-door to all customers to severely conserve all gas usage to concentrate on health and wellness only. The reason is two-fold. First to do our best to ensure that we can keep the gas flowing for all of our customers. Secondly, we need to conserve gas right now because it is expensive and ultimately our users of that gas will pay a premium for gas used during this shortage. We want to minimize that. We will discuss and detail our plan of action later on in this meeting.

Mayor Wilson thanked everyone who turned down those thermostats and are living in a more uncomfortable environment to save on gas usage. Every business who closed or limited productivity. Every city employee or volunteer who helped get the word out by forming the communication flyer, sending it out by email, phone and in person and those who walked door to door to distribute those flyers.

Today our staff has been fielding a large number of concerned phone calls and helping to reassure our people that the gas will stay on as long as we are able to keep it on. And if we had advanced knowledge of a shut-off – we would get that word out.

- Daylight savings time begins March 14, 2021. The March 3<sup>rd</sup>, 2021 meeting will begin at 6:00pm and the March 17<sup>th</sup> meeting will begin at 7:00pm.
- Mayor Wilson received a letter of interest from Keith Stoker regarding the vacant Council seat. Mayor Wilson made a recommendation for Keith Stoker for the vacant council seat.

❖ **Motion**

**Council Member Capp motioned to approve Mayor Wilson's recommendation to appoint Keith Stoker to the vacant Council seat. Motion seconded by Council Member Thies, voted on, passed 3-0.**

**CONSENT AGENDA:**

**❖ Motion to approve Consent Agenda:**

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

Minutes of February 3, 2021 City Council Meeting;  
January 2021 Budget Report;  
January 2021 Treasurer's Report;  
Check Register: February 4 – February 17, 2021;

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

**DISCUSSION FROM THE FLOOR:**

NONE

**SPECIAL PROJECTS:**

**WATER PLANT SETTLING POND PROJECT**

PWS Nasalroad is setting up a meeting next week with MW Engineer group to review the preliminary plans and price estimates.

**SEWER REHABILITATION PROJECT**

PWS Nasalroad stated BG Consultants was still checking on the falls and depth testing for possible extensions of the sewer main on 4<sup>th</sup> street and Grand avenue.

**STREET PROJECT – KDOT CCLIP PROJECT AT KS HWY 152 AND INDUSTRIAL ROAD**

No updates at this time

**NEW LA CYGNE FIRE STATION PROJECT**

No updates at this time

**SWEARING IN COUNCIL MEMBER:**

CC Wade administered the oath of office to Council Member Keith Stoker.

**REPORTS OF CITY OFFICERS:**

**CITY ATTORNEY –BURTON HARDING(ATTENDED VIRTUALLY BY ZOOM)**

City Attorney Harding reviewed the following report:

- Municipal Court
- Research and drafted a Memo to the City regarding annexing and transferring water rights from RWD#1.
- Research and drafted Memo to the City regarding the City's zoning regulations and definitions, specifically Table 15-1 for I-1 and I-2 zoned parcels.
- Reviewed contract with engineer and sent back with suggestions and revisions.
- Calls with the Police Chief regarding procedures for citizens without power and heat.

**REPORTS OF CITY OFFICERS CONTINUED:****CHIEF OF POLICE / CODES OFFICER****14 Traffic Stops Conducted****Citations issued since last meeting**

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

**Calls for Service / Reports – 02/02/2021 thru 02/15/2021**

Animal Complaint – 3	Felony Warrant Arrest - 1
Residential Lockout – 1	Civil Matter / Child Custody Standby – 3
Illegal Burn – 0	Citizen Assist CFS / contact - 8
Theft – 0	Juvenile Incident – 0
Check Welfare – 4	Traffic Hazard– 0
Follow Up – 6	Assist Outside Agency – 0
Suspicious Activity – 1	Pedestrian Check – 0
Sexual Assault – 0	Trespass - 3
Domestic / Battery – 0	Ambulance - 0

**Codes Enforcement**

3 Nuisance Notice-To-Appear have been sent out. Allison Fox presented updated spreadsheets for the status on Nuisance letters and condemnations.

**Animal Control**

-Nothing at this time

**VIN Inspections-** 0 completed

**New Business**

Chief Fenoughty reviewed three (3) upcoming training sessions. The Chief and Corporal West need to get their education hours for the year completed. These training sessions would provide credit towards their education hours.

- Investigating Physical and Sexual Abuse of Elder and Dependent Adults – March 19, 2021, Zoom training 9am – 12pm, Free.
- 2021 KBO Laboratory Information – including Firearms, Seized Drugs and more, March 17, 2021, Zoom training 8am – 5pm, Free.
- Cop Stress, March 4, 2021, Zoom Training, 1pm – 5pm, \$35/person. Chief Fenoughty would like to attend as well as Corporal West. Total price \$70.

❖ **Motion**

**Council Member Capp motioned to approve for Chief Fenoughty and Corporal West to attend the Cop Stress Zoom training on March 4 for the amount of \$70. Motion seconded by Council Member Curtis voted on, passed 4-0.**

**Accrued Overtime for Department:** Accrued overtime for last pay period = 0

**REPORTS OF CITY OFFICERS CONTINUED:**

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

PWS Naslaroad reported he is working to keep up with the street, gas situation and keeping the water plant running.

Sewer – The rebuilt motor was returned and installed at the City Park lift station. There was an issue with the City Park lift station regarding the new Ebara motor which burnt up and has been reviewed by the company and found to be a factory fault.

**FIRE DEPARTMENT – FIRE CHIEF DAN NASALROAD**

- Fire crew has been out on some calls pertaining to generators and space heaters.

**CITY CLERK – JODI WADE**

Report from 2/3/2021 – 2/17/2021

**City Clerk**

- Completed the Water Inspection for 2021
- Completed the KMIT Audit for 2020
- Preparing for the upcoming Gas inspection
- Financial Audit is scheduled for mid-April

**Treasurer/Utility Clerk/Court Clerk**

- January sales tax – worked out issues with the change from cash to prepaid and filed.
- Prep VIN reports and sent to State.
- Prepared diversions for Burton’s review.
- Worked on Planning & Zoning issues with processing plant.
- Gas report.
- Utility penalties.
- Gas Emergency.
- Worked with software tech on several utility and court issues.

**COUNCIL COMMITTEE REPORTS:**

**WATER & GAS -**

- Gas supply emergency 2021.  
CC Wade explained the process for purchasing gas to the Council. CC Wade reviewed the annual supply agreement in which the City signs every year which shows the estimated amounts of supply for each month’s use. Dixie Riedel, KMGa, on the 1<sup>st</sup> day of each month reviews weather forecast and events to determine how much supply to purchase on the 1<sup>st</sup> of the month price index which only comes out for just that day. Dixie does not know if the 1<sup>st</sup> of the month price index is higher or lower than the daily price index throughout the month. Her objective is also not to over-purchase supply for a month. The remainder of supply for the month is purchased at the daily price index. Last week the daily price index was running at just under \$2.90/MMBtu until Wednesday (2/10/21) when it hiked up to around \$8/MMBtu. By Friday, the daily price index had sky-rocketed up to the \$300/MMBtu range. According to the suppliers, the supply was low and the demand escalated due to the extreme cold weather which inflicted the entire MW region. CC Wade also reviewed the process for invoicing from KMGa. At this point we won’t know the costs until our March bill from KMGa. At this time

**COUNCIL COMMITTEE REPORTS CONTINUED:**

**WATER & GAS CONTINUED -**

KMGA has reached out on both the State and Federal levels to determine if there will be any monetary support available through FEMA or state programs. KMGA has also reached out to FERC (Federal Energy Regulatory Commission) to look at addressing price gouging. We cannot answer any questions at this time regarding the financial impact of this event until invoices are received.

**STREET -**

- (Postponed until Fall 2021) RFP for Stormwater Master Planning.
- (In Committee review) La Cygne Library parking area drainage.  
A letter was received on February 8, 2021. Council Member Thies read the letter dated February 8, 2021 from Kent Wade which stated:

"I would like to inform the City about the large amount of water that is collecting when it rains on the North West corner of the new addition of the La Cygne Library, at the corner of N. Broadway and Chestnut St. The water seems to be collecting because of the concrete pad at the North end of the new Library addition and plugged the culvert to the East. This makes for a hazard while walking, biking and even driving a car through this area. I hope something can be done with area at a minimal cost."

The Council held discussion regarding the situation. At the last meeting Council Member Mitzner had stated to wait until the storm water survey to provide information. Council Member Capp asked if anyone has reached out to the Library project Contractor. Mayor Wilson indicated that prior to this letter nobody has reached out to the Contractor. Council Member Curtis stated that water has pooled in that vicinity prior to the Library putting the North parking. Council Member Capp indicated the City had stopped the Contractor prior to the construction of the North parking area addressing the schematics for the pad. The Contractor, PWS Nasalroad and Council Member Mitzner met to discuss the parking area. PWS Nasalroad stated the Contractor indicated a swell/drain was going to be put down the middle of the pad leading water to the culvert pipe on the East end. Council Member Capp pointed out the Contractor did not do what they stated. Mayor Wilson stated if we don't give the Library the opportunity to address it with the contractor then they would miss out on their warranty period. Mayor Wilson asked if the Street committee could reach out to the Library to schedule a meeting with them and their Architect and Contractor to have a conversation regarding the construction of the North parking pad.

- Council Member Mitzner and Council Member Thies attended the Planning & Zoning Commission Public hearing on February 11, 2021 regarding Article 22. Council Member Thies indicated there were approximately 10-12 patrons in attendance. Council Member Thies had no further comments.

**SEWER-**

CC Wade asked the Council if they would like to proceed with drafting a letter to the owners of vacant lots and abandoned homes regarding the sewer taps and when would they like those to be sent out. Council Member Capp suggested to get a draft to the Council by end of March in order to be approved and delivered in April 2021.

**COUNCIL COMMITTEE REPORTS CONTINUED:**

**PARK-NONE**

**CEMETERY –**

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

**PUBLIC SAFETY –NONE**

**COMMUNITY BUILDING-NONE**

**EMPLOYEE RELATIONS & TRAINING –**

- (Postponed until Spring 2021) -Ethics/Public Service Training.

**SPECIAL COMMITTEE REPORTS:**

**EMERGENCY MANAGEMENT -NONE**

**SWANFEST COMMITTEE -NONE**

**LA CYGNE COMMUNITY PARK BOARD –NONE**

**PLANNING & ZONING COMMISSION (PZC) -NONE**

**UNFINISHED BUSINESS:**

**ORDINANCE NO. ANNEXING LAND TO THE CITY OF LA CYGNE, KS – TABLED UNTIL MARCH 3, 2021 MEETING.**

**RESOLUTION NO. 02-17 REGARDING MAINTENANCE OF STREETS WITHIN THE LINN COUNTY INDUSTRIAL PARK, LA CYGNE, KS. TABLED UNTIL MARCH 3, 2021 MEETING.**

**EMPLOYEE POLICY & GUIDELINES**

Employee scales and evaluation procedures for the City of La Cygne. CC Wade is currently reviewing the entire Employee Policy & Guidelines book to make corrections which have been noted over the past 4 years. CC Wade would like to table until March 3, 2021 meeting.

**NEW BUSINESS:**

**WATER CONSERVATION PLAN**

Due to the Gas emergency, CC Wade was not able to complete an update of the Water Conservation plan. CC Wade indicated the need to reach out to KRWA for some of the information which would need to be updated.

**CONTRACTOR-CLIENT SERVICE AGREEMENT WITH BARTLETT AND WEST**

CC Wade asked for an executive session for 8 minutes for Trade secrets.

❖ **Motion**

**Council Member Capp motioned to go in to executive session for 8-minutes for trade secrets and will return to the Council table at 7:10pm. Motion seconded by Council Member Curtis voted on, passed 4-0. 7:02pm**

Others in attendance included, but not limited to: CC Wade

**NEW BUSINESS CONTINUED:**

**OPEN SESSION RESUMED AT 7:13pm:**

❖ **Motion**

Council Member Capp motioned to go in to executive session for 10-minutes for trade secrets and will return to the Council table at 7:24pm. Motion seconded by Council Member Curtis voted on, passed 4-0. 7:14pm

Others in attendance included, but not limited to: CC Wade

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

**EXECUTIVE SESSION:**

❖ **Motion**

Council Member Capp motioned to go in to executive session after a 5-minute break for 30 minutes for non-elected personnel performance review and will return to the Council table at 8:05pm. Motion seconded by Council Member Thies voted on, passed 4-0. 7:30pm

Others in attendance included, but not limited to: CC Wade

**OPEN SESSION RESUMED AT 8:05pm:**

**EXECUTIVE SESSION:**

❖ **Motion**

Council Member Capp motioned to go in to executive session for 25 minutes for non-elected personnel performance review and will return to the Council table at 8:30pm. Motion seconded by Council Member Thies voted on, passed 4-0. 8:05pm

Others in attendance included, but not limited to: CC Wade

**OPEN SESSION RESUMED AT 8:30pm:**

**EXECUTIVE SESSION:**

❖ **Motion**

Council Member Capp motioned to go in to executive session after a 2-minute break for 15-minutes for non-elected personnel performance review and will return to the Council table at 8:49pm. Motion seconded by Council Member Thies voted on, passed 4-0. 8:32pm

Others in attendance included, but not limited to: CC Wade

**OPEN SESSION RESUMED AT 8:49pm:**

**EXECUTIVE SESSION:**

❖ **Motion**

**Council Member Capp motioned to go in to executive session for 8-minutes for non-elected personnel performance review and will return to the Council table at 8:57pm. Motion seconded by Council Member Thies voted on, passed 4-0. 8:49pm**

Others in attendance included, but not limited to: CC Wade

**OPEN SESSION RESUMED AT 8:57pm:**

**OTHER BUSINESS:**

None

**NOTES AND COMMUNICATIONS TO COUNCIL:**

- KMGA Gas Supply Situation Outline
- Governor Kelly issues State of Disaster Emergency due to wind chill warnings and stress on Utility and Natural Gas providers.

**ADJOURNMENT:**

❖ **Motion**

**Council Member Curtis moved to adjourn the meeting. Motion seconded by Council Member Thies, voted on, passed 4-0. Time 8:59pm.**

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 February, 2021.