

REGULAR MEETING:

The La Cygne City Council met on Wednesday, May 5, 2021 at the La Cygne Community Building. Council Members present were: James Thies; Danny Curtis; Keith Stoker; and Thomas Capp. Absent: Jerome Mitzner.

Others in attendance included, but not limited to: City Clerk (CC) Jodi Wade (arrived at 7:10pm); City Attorney Burton Harding; Public Works Superintendent (PWS) Dan Nasalroad; Police Chief Fenoughty; City Treasurer Connie Gore; Linn County News Tony Furse; Midwest Engineering Danny Coltrane; David Brenneman; and Harley Wade.

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

Pledge of Allegiance – Mayor Debra Wilson

MAYOR COMMENTS:

Mayor Wilson reminded everyone the Prayer breakfast is scheduled for tomorrow morning at 7am at the La Cygne Library and Ray of Hope will be sponsoring an ice cream social on May 12, 2021 at the La Cygne Library.

CONSENT AGENDA:

❖ **Motion to approve Consent Agenda:**

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

Minutes of April 21, 2021 City Council Meeting;

Check Register: April 22 – May 5, 2021;

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

DISCUSSION FROM THE FLOOR:

Mayor Wilson advised the Council she was going to change the order of the agenda until CC Wade arrives for the meeting.

SPECIAL PROJECTS:

WATER PLANT SETTLING POND PROJECT (MIDWEST ENGINEER GROUP)

Sealed bids were received on April 28, 2021. Two bids were received, one from Victory Excavating in the amount of \$615,486 (bond not included) and one from Starbuck Trucking in the amount of \$392,905 (bond included). Danny Coltrane (MW Engineering Group, LLC) and CC Wade reviewed and validated the bids prior to the City Council meeting this evening. Performance and payment bonds are required by statute for government projects which exceed \$100,000. CC Wade contacted the references for both Victory Excavating, LLC and Starbuck Trucking, LLC and received very positive feedback on the experience and performance of both companies. The estimate of probable cost from MW Engineer Group for the project was \$386,482 + \$38,648 (10% contingency) for a total of \$425,130. Council Member Stoker inquired about the possible reason for the large

SPECIAL PROJECTS CONTINUED:

WATER PLANT SETTLING POND PROJECT (MIDWEST ENGINEER GROUP)

difference in the earthwork pricing between the two bidders. Danny Coltrane reviewed what earthwork was necessary on the job. Discussion was held regarding the rip-rap for the embankments and it was determined a final decision on whether to include or exclude could be made at a later date. Council Member Theis inquired about wrapping the pipe and about the fasteners being used. Dan Coltrane indicated the pipe would not be wrapped if it was within the embankment but any pipe exposed would be wrapped and confirmed the possible types of fasteners which could be used in the project. Council Member Capp asked for confirmation that a new pond was being built and the existing pond would be repaired. Danny Coltrane confirmed the scope of work included both. CC Wade reminded the Council the funding for the project would come out of the Water Capital Improvement fund and the current cash on hand amount was approximately \$712,000.

❖ **Motion**

Council Member Capp motioned to accept the bid from Starbuck Trucking, LLC in the amount of \$392,095 for the pre-sedimentation improvement project utilizing cash from the Water Capital Improvement fund. Motion seconded by Council Member Stoker voted on, passed 4-0.

SEWER REHABILITATION PROJECT (BG CONSULTANTS)

No update

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

The survey was performed for the new ROW and Utility easements. Utility permit for Everyg to move the poles was approved. USDI has completed the work to move the gas service line. Everything is capped on the old existing line.

SEWER LAGOON ANALYSIS: (BARTLETT & WEST)

Bartlett & West came down to field check the existing sewer lagoons and sewer lift stations. We received a total analysis of the current atmosphere and capacity of the existing sewer lagoons on April 30, 2021. CC Wade indicated the conditions of the current lagoon were operating at 50% capacity regarding the levels of the BOD/TSS and ammonia. It is important for the City to be cautious regarding future growth in both industry, business or residential. CC Wade asked for an executive session for 10 minutes for trade secrets.

❖ **Motion**

Council Member Capp motioned to go in to executive session for 10-minutes for discussion trade secrets and will return to the Council table at 8:10pm. Motion seconded by Council Member Stoker voted on, passed 4-0. 8:00pm

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

OPEN SESSION RESUMED AT 8:10pm:

REPORTS OF CITY OFFICERS:

CITY ATTORNEY –BURTON HARDING

- Emails and document review with Jodi
- Preparations for trials and municipal court docket

REPORTS OF CITY OFFICERS:**CHIEF OF POLICE – TINA FENOUGHTY****12 Traffic Stops Conducted****Citations issued since last meeting**

Speed in School Zone	3	Revoked DL	0
Stop Sign	0	Illegal Tag	0
Insurance	1	No DL	0
Expired Tag	1	Speed	0
Vicious Dog/RAL	3	Equipment	1
Seatbelt	0	Suspended DL	1

Calls for Service / Reports – 04/20/2021 thru 05/3/2021

Animal Complaint –	9	Warrant Arrests -	0
Assist Outside Agency –	1	Civil Matter / Child Custody Standby –	2
Criminal Threat –	0	Citizen Assist CFS / contact -	6
Fingerprints –	4	Juvenile Incident –	1
Check Welfare –	0	Building Check–	0
Follow Up –	16	DCF Assist–	2
Suspicious Activity –	0	Pedestrian Check –	0
Aggravated Assault –	0	Mental Health Emergency -	0
Domestic / Battery -	0	Ambulance -	1

Codes Enforcement

Before and after pictures were presented for the address of 116 N. 5th St and one other home in the City. Council Member Curtis inquired about the process for cleaning up 116 N. 5th. Chief Fenoughty indicated the owner had been verbally contacted and given a letter, assistance was provided by SEK metal health center and representatives from the Methodist Church and local volunteers brought equipment to assist with removal of debris/trash items.

Animal Control

VIN Inspections- 1 completed

New Business

Request for a 20-minute executive session.

❖ **Motion**

Council Member Capp motioned to go in to executive session for 20-minutes for non-elected personnel matter exception for an individual employee's performance and will return to the Council table at 7:26pm. Motion seconded by Council Member Stoker voted on, passed 4-0. 7:06pm

Others in attendance included, but not limited to: Police Chief Fenoughty, City Attorney Harding.

OPEN SESSION RESUMED AT 7:26pm:❖ **Motion**

Council Member Capp motioned to promote Allison Fox from permanent part-time employee to a full-time employee effective on Monday, May 10, 2021 at a pay rate of \$15.50/hour. Motion seconded by Council Member Stoker voted on, passed 4-0.

Accrued Overtime for Department: Accrued overtime for last pay period = 7 hours

REPORTS OF CITY OFFICERS CONTINUED:

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

Report from 4/22/2021 to 5/5/2021

Committee discussions

Water and Gas:

- Gas inspection completed, waiting on written report. (Went well)
- The bid process has started for the pre-sedimentation pond.
- Gas main relocation for the highway project is now complete.
- New larger gas service to JBB Farms, LLC (417 W Grand Ave.) completed.
- Water main leak repaired.

Street:

- Preliminary plans on two street projects.
- Cold patch has been delivered and repairs have started and will continue weather permitting.

Sewer:

- Bartlett & West Engineering has turned in their report for our review.
- Lagoons have been sprayed and mowed.

Park:

- Helping on getting the pool ready for opening.

Cemetery:

- Mowing continues.

FIRE DEPARTMENT – FIRE CHIEF DAN NASALROAD

- Had a structure fire last week, fast response gave a great outcome.

CITY CLERK – JODI WADE

- Financial audit was completed. The City is doing a great job building the reserves and implementing Capital Improvement projects.
- Gas inspection completed. City received complements on the improvement of the records, operation manuals, and service calls. USDI has done a good job keeping the records in order.
- Attended a virtual Planning & Zoning training and will be sure to pass the information on to the commission to further their knowledge of the structure and operation of the commission.

CITY TREASURER – CONNIE GORE

- Worked on reports for the auditor.
- Utility bills completed and mailed.
- Monthly sewer reports.
- Monthly water reports.
- Monthly waste management reports.
- Monthly sales tax.
- Citation entries and court preparation

COUNCIL COMMITTEE REPORTS:

WATER & GAS -

- 2020 gas inspection completed.

COUNCIL COMMITTEE REPORTS CONTINUED:

STREET -

- (Postponed until Fall 2021) RFP for Stormwater Master Planning.
- (In Committee review) La Cygne Library parking lot water pooling.

SEWER-NONE

PARK-

- Council Member Curtis asked CC Wade to prepare the resolution to allow the Firework show to take place in the La Cygne Community Park after the 4th of July.

CEMETERY -

- A draft of Chapter XI. Public property, Article 1. Cemetery regulations were distributed to the Council for a final review.

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) -

- The League of Municipalities offered a virtual Planning & Zoning training course yesterday. CC Wade and Paul Kana attended. Good information was provided and a great opportunity to network for guidance.

UNFINISHED BUSINESS:

ORDINANCE NO. ANNEXING LAND TO THE CITY OF LA CYGNE, KS – TABLED UNTIL JUNE 2, 2021 MEETING.

RESOLUTION NO. 02-17 REGARDING MAINTENANCE OF STREETS WITHIN THE LINN COUNTY INDUSTRIAL PARK, LA CYGNE, KS. TABLED UNTIL JUNE 2, 2021 MEETING.

WATER CONSERVATION PLAN

Tabled until summer 2021.

CITY OF LA CYGNE & BEACHNER GRAIN STREET USE AGREEMENT

Mayor Wilson and the Council reviewed the agreement Beachner signed. CC Wade will mail out letters to the patrons within the vicinity of the street use and invite them to the May 19, 2021 Council meeting if they have any questions or concerns.

NEW BUSINESS:

SEALED DEMOLITION BIDS FOR THE HOUSE LOCATED AT 612 N. 8TH STREET

Two sealed bids were received. Mayor Wilson opened the first envelope which had enclosed a bid from Starbuck Trucking, LLC in the amount of \$4,000. Mayor Wilson opened the second envelope which had enclosed a bid from Drake Trucking in the amount of \$5,900. Discussion was held regarding the scope of work to be performed. CC Wade gave the Council a copy of the scope of work which was available for the companies to review prior to submitting their bids. The Council was satisfied with what had been listed in the scope of work. Council Member Stoker confirmed the scope of work would be considered a part of their contracts. CC Wade confirmed.

❖ **Motion**

Council Member Curtis motioned to accept the bid from Starbuck Trucking, LLC in the amount of \$4,000 and noted for the work to begin within 30 days of the notice of award. Motion seconded by Council Member Capp voted on, passed 4-0.

CLIENT REPRESENTATION LETTER – FINANCIAL AUDIT 2020

CC Wade stated the Auditor was happy with the separation of duties we established in the City Hall. We should have the financial reports within the next week. No further discussion.

❖ **Motion**

Council Member Capp motioned to approve for Mayor Wilson to sign the client representation letter. Motion seconded by Council Member Stoker voted on, passed 4-0.

OTHER BUSINESS:

a] CC Wade presented a resignation letter from Corporal Kurtis West effective May 21, 2021. The letter was read aloud. Council Member Capp wanted to thank Corporal Kurtis West for his work as an officer for the La Cygne Police Department.

❖ **Motion**

Council Member Capp motioned to accept the resignation letter from Corporal Kurtis West effective May 21, 2021. Motion seconded by Council Member Stoker voted on, passed 4-0.

NOTES AND COMMUNICATIONS TO COUNCIL:

a] Thank you letter from the La Cygne Chamber of Commerce for the assistance with the Easter Egg Hunt.

ADJOURNMENT:

❖ **Motion**

Council Member Capp moved to adjourn the meeting. Motion seconded by Council Member Stoker, voted on, passed 4-0. Time 8:38pm.

Record of the Proceedings of the Governing Body

REGULAR MEETING

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May 5, 2021

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 5th day of May, 2021.