

Record of the Proceedings of the Governing Body
REGULAR MEETING

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September 1, 2021

REGULAR MEETING:

The La Cygne City Council met on Wednesday, September 1, 2021 at the La Cygne Community Building. Council Members present were: Keith Stoker; Danny Curtis; and James Thies. Absent: Thomas Capp and Jerome Mitzner.

Others in attendance included, but not limited to: City Clerk (CC) Jodi Wade; Public Works Superintendent (PWS) Dan Nasalroad; Police Chief Fenoughty; Linn County News Tony Furse; David Brenneman; Glen Harbinson; Renee Slinkard; Elizabeth Vore; Sarah Vore; Dennis and Bunny Higgins; Linda Jo Hisel; and Steve Keaton.

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

Pledge of Allegiance – Mayor Debra Wilson

PERFORMANCE PUBLIC HEARING FOR CDBG-CV FUNDS (7:00 P.M.)

Mayor Wilson closed the regular meeting at 7:00pm and opened the performance public hearing for CDBG-CV Funds for Meal Programs.

No comments from the public.

Mayor Wilson closed the performance public hearing for CDBG-CV Funds for Meal Programs at 7:01pm.

MAYOR COMMENTS:

Mayor Wilson reminded everyone that school is in session and to be alert to students walking to and from school.

CONSENT AGENDA:

❖ Motion to approve Consent Agenda:

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

Minutes of August 18, 2021 City Council Meeting;
Minutes of August 25, 2021 Special Council Meeting;
Check Register: August 19 – September 1, 2021;

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

DISCUSSION FROM THE FLOOR:

- ✓ Renee Slinkard shared information about the establishment of Constitution Week, September 17-23, 2021. Mayor Wilson read and signed the proclamation claiming the week of September 17 – 23, 2021 as Constitution Week in the City of La Cygne.
- ✓ Bunny Higgins responded to a complaint reviewed at the last Council meeting regarding guns being fired in the 500-block area of Grand Avenue. Bunny indicated she and her husband bought their property because it was located in the County. She indicated she and her family fire guns on their land. Bunny stated she teaches her grandchildren about gun safety and also has a group of security guards which come down to target shoot on her property. Bunny spoke to her neighbors in regards to the guns.

DISCUSSION FROM THE FLOOR CONTINUED:

- ✓ David Brenneman invited the Mayor, Council and City staff to attend a movie night at the Calvary Baptist Church on September 25, 2021.

SPECIAL PROJECTS:

WATER PLANT SETTLING POND PROJECT (MIDWEST ENGINEER GROUP)

Dan Claire with KDHE had no further comments on the plans and requested a final hard copy for his files. Dan Coltrain has completed the final drawings and mailed them to KDHE. We are hoping the letter to proceed (permit) will be issued soon.

SEWER REHABILITATION PROJECT (BG CONSULTANTS)

Continued progress on survey of mains and review of drawings to prepare for bid letting.

EXECUTIVE SESSION:

❖ **Motion**

Council Member Stoker 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 7:20pm. Motion seconded by Council Member Thies voted on, passed 3-0. 7:10pm

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

OPEN SESSION RESUMED AT 7:20pm:

❖ **Motion**

Council Member Thies 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 7:32pm. Motion seconded by Council Member Stoker voted on, passed 3-0. 7:22pm

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

OPEN SESSION RESUMED AT 7:32pm:

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 and Katie Russell have been working on grant applications.

REPORTS OF CITY OFFICERS:

CITY ATTORNEY – BURTON HARDING

- Has completed the determination of descent for 602 N. 5th Street. Will be published in the paper. Approximately 30-45 days to complete the process and quit claim deed.

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REPORTS OF CITY OFFICERS:

CHIEF OF POLICE – TINA FENOUGHTY

10 Traffic Stops Conducted

Citations issued since last meeting

Speed School Zone	2	Tag Expired.	0
Fail to Yield	0	Turn Signal	0
Insurance	2	TOC	0
RR Crossing	0	Speed	1
Vicious Dog/RAL	0	Pass on Right	0
Drive Violation of Rest.	0	Endorsement	0

Calls for Service / Reports – 08/17/2021 thru 08/31/2021

Animal Complaint – 7	Traffic Complaints - 5
Assist Outside Agency – 1	Vehicle Lockout - 1
Building Check – 0	Citizen Assist CFS / contact - 10
Fingerprints – 1	Juvenile Incident – 0
Check Welfare – 1	911 Hang up– 0
Follow Up – 11	Theft - 0
Suspicious Activity – 2	Criminal Threat – 0
Aggravated Assault – 0	Vandalism - 1
Domestic / Battery – 0	Criminal Damage – 1
Burglary – 0	Civil Stand By – 1
Trespass – 1	Recovered Property – 0
Felony Warrant – 0	Misdemeanor Warrant - 0

Codes - 8 Letters sent out, 4 Work Orders

VIN Inspections - 0 completed

New Business

School crossing lights have been programmed but malfunctioned. Re-programmed and will verify next week they are functioning properly.

Damage at the City Park and vandalism at the trash compactor.

Accrued overtime for last period = 6 hours

CODES ENFORCMENT – ALLISON FOX

Officer Fox is attending KLETC academy.

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

Report from 8/18/2021 to 8/31/2021

Committee Discussions

Water and Gas

- Spoke with Trenton Morris and Midwest Engineers and KDHE has given their OK. Just waiting on hard copy of permit on settling pond.

REPORTS OF CITY OFFICERS CONTINUED:

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

Street

- Street repairs have started and will continue weather permitting;
- Spraying for mosquitos once a week;
- Still working on drainage at 3rd and Chestnut.

Sewer

- East lift station generator is still down, parts are coming from Japan;
- Working on BG Consultants on sewer project;
- Still waiting on new pump for the East lift station.

Park

- Mowing and maintaining park;
- Working on isolating the leak in the pool.

Cemetery

- Mowing continues;
- Two trees are scheduled to be removed for \$1,850.

FIRE DEPARTMENT – FIRE CHIEF DAN NASALROAD

- Nothing to report.

CITY CLERK – JODI WADE

Report from 8/19/2021 – 9/01/2021

- Prepared a Council packet binder for Council members;
- Prepared a Park Board packet binder;
- Put together a draft operations and maintenance manual for the swimming pool;
- Attended virtual ARPA Revenue calculator workshop;
- Working on the narratives for the First Option Bank Trustee Foundation grant application;
- Working on the narratives for the KDOT Cost Share program 4th Street Improvement;
- Attended workshop for review of Governing Body handbook;
- Attended public hearing for RNR and 2022 Budget;
- Prepared an ordinance for City maintenance services;
- Worked with City Attorney Harding on a draft letter for sewer main in the alley between Railroad and 2nd Street;
- Reached out to gWorks software technicians about reinstalling the City's utility module in order for it to function as it was intended to function.

Overtime Hours for City Hall for the last pay period: 9.5 hours Jodi.

REPORTS OF CITY OFFICERS CONTINUED:

CITY TREASURER – CONNIE GORE

Report from 8/04/2021 – 8/31/2021

- Completed monthly gas, sewer and water reports;
- Completed July sales tax;
- Penalties processed and mailed;
- Prepared and mailed August invoices for mowing;
- September utility bills processed and printed;
- Helped stuff, label, stamp envelopes for utility bills – ticket in to gWorks for help;
- Made 95 calls for 138 dogs on the list for dogs still needing to be tagged;
 - 8/138 dogs tagged thus far from calls made;
- Will do follow-up letters to dog owners in a couple of weeks for tags;
- Entered citations, completed a diversion for City Attorney Harding, docket review;
- Court prep and email to Judge/City Attorney Harding/Defendant Attorneys;
- In depth research for a person to be buried in cemetery. Oaklawn section, could not find person. Possibly labeled as “unknown”.
- I am spending an average of 15 hours per month working on court stuff, I expect this time to go up a little with school zone citations and more officers.

COUNCIL COMMITTEE REPORTS:

WATER & GAS -

- None

STREET -

- None

SEWER-

- None

PARK-

- None

CEMETERY –

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

PUBLIC SAFETY –

- None

COMMUNITY BUILDING-

- None

EMPLOYEE RELATIONS & TRAINING

- None

SPECIAL COMMITTEE REPORTS:

EMERGENCY MANAGEMENT -NONE

SWANFEST COMMITTEE –NONE

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SPECIAL COMMITTEE REPORTS CONTINUED:

PLANNING & ZONING COMMISSION (PZC) -

Consideration to appoint Devin Canada for another term on the Planning & Zoning Commission. Tabled until the next meeting.

LA CYGNE COMMUNITY PARK BOARD -

Unapproved meeting minutes from the August 31, 2021.

UNFINISHED BUSINESS:

IBTS PURCHASE ORDER AGREEMENT FOR SERVICES TO REVISE THE COMPREHENSIVE PLAN AND REVIEW ZONING REGULATIONS IN THE AMOUNT OF \$28,580 PLUS EXPENSES.

❖ **Motion**

Council Member Stoker motioned to approve for Mayor Wilson to sign the IBTS Purchase Order agreement for services to revise the Comprehensive Plan and review zoning regulations in the amount of \$28,580 plus expenses. Motion seconded by Council Member Curtis voted on, passed 3-0.

NEW BUSINESS:

ORDINANCE NO. _____ TO AMEND THE ZONING REGULATIONS OF THE CITY OF LA CYGNE, KS (REMOVED FROM THE AGENDA)

Ordinance No. _____ to amend the zoning regulations of the city of La Cygne, KS by considering the rezoning request of 602 Market St, La Cygne, KS from C-1 (Restricted Commercial District) to C-2 (General Commercial District). Council members reviewed the meeting minutes from the Public Hearing held by the Planning & Zoning Commission. No comments.

❖ **Motion**

Council Member Curtis motioned to pass Ordinance No. 1490 to amend the zoning regulations of the City of La Cygne, KS by considering the rezoning request of 602 Market St, La Cygne, KS from C-1 (Restricted Commercial District) to C-2 (General Commercial District). Motion seconded by Council Member Stoker voted on, passed 3-0.

RESOLUTION NO. _____ TO APPROVE ADMINISTRATIVE POLICY #32 LA CYGNE GOVERNING BODY HANDBOOK.

CC Wade completed all revisions as requested by Mayor Wilson and the governing body at the most recent workshop. No further questions or concerns.

❖ **Motion**

Council Member Stoker motioned to adopt Resolution No. 435 approving Administrative Policy #32: La Cygne Governing Body Handbook. Motion seconded by Council Member Curtis voted on, passed 3-0.

NEW BUSINESS CONTINUED:

MEALS ON WHEELS PROGRAM IS ASKING TO USE THE COMMUNITY BUILDING AS A WEEKLY DROP OFF POINT FOR VOLUNTEERS TO PICK UP THE MEALS TO BE DELIVERED.

CC Wade spoke to the area representative for the Meals on Wheels program who reached out to ask if they could use the Community Building as the designated pick-up location for volunteers who deliver the meals. The Senior Citizen Center was being used but is now being converted to the new ambulance station. The coolers containing the meals would be delivered Monday through Friday around 10 a.m. The volunteers would pick up the meals to be delivered. No meals are delivered on the weekends. Council Member Curtis discussed making arrangements for days the Community Building is used for Court. Council Member Stoker was supportive of providing the Community Building as the location for the Meals on Wheels program.

❖ **Motion**

Council Member Curtis motioned to approve the use of the Community building by the Meals on Wheels program to serve as a pick-up point for the meals Monday through Friday around 10 a.m. Motion seconded by Council Member Stoker voted on, passed 3-0.

ORDINANCE NO. ADDING SECTION 1-116: ASSESSMENT OF COSTS FOR CITY MAINTENANCE SERVICES TO CHAPTER 1: ADMINISTRATION, ARTICLE 1: GENERAL PROVISIONS OF THE CODE OF THE CITY OF LA CYGNE, KANSAS.

❖ **Motion**

Council Member Stoker motioned to pass Ordinance No. 1491 adding Section 1-116: Assessment of Costs for City Maintenance Services to Chapter 1: Administration, Article 1: General Provisions of the Code of the City of La Cygne, Kansas. Motion seconded by Council Member Thies voted on, passed 3-0.

RESOLUTION NO. ENABLING FEES ESTABLISHED BY THE CITY AND REFERENCED WITHIN THE CODE OF THE CITY OF LA CYGNE, KANSAS BY ADDING 1-116: DEPLOY FEE \$150.00, LABOR FEE \$85.00/HOUR AND ADMINISTRATIVE FEE \$10 - \$60.

❖ **Motion**

Council Member Curtis motioned to adopt Resolution No. 436 enabling fees established by the city and referenced within the Code of the City of La Cygne, Kansas by adding 1-116: Deploy Fee \$150.00, Labor Fee \$85.00/hour and Administrative Fee \$10 - \$60. Motion seconded by Council Member Stoker voted on, passed 3-0.

EXECUTIVE SESSION:

❖ **Motion**

Council Member Curtis motioned to go in to executive session for 5-minutes for non-elected personnel matter for an individual employee's performance and will return to the Council table at 8:10pm. Motion seconded by Council Member Stoker voted on, passed 3-0. 8:05pm

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

OPEN SESSION RESUMED AT 8:10pm:

OTHER BUSINESS:

KMIT'S HEALTH INSURANCE GROUP PROGRAM FOR CITIES.

CC Wade advised the Council regarding the struggle for small cities with under 10 full-time employees to obtain small group health insurance plans. Over the past few years, the insurance industry along with KMIT have been discussing the possibility of offering an Association Health Plan under Kansas Law. This would include fully-insured health plans and policies (this is not a self-insured "pool") and Blue Cross Blue Shield of Kansas would issue the policies and pay all claims. As the program grows and builds economies of scale, KMIT would evaluate a self-funding structure (e.g., 'Self-Funded' Trust) in future years. CC Wade did respond to KMIT's survey indicating interest in learning more about the program which would launch on January 1, 2022. CC Wade will participate in the Zoom call on September 22, 2021 at 10:30 a.m.

POSTAGE PERMITS FOR BULK MAIL CHANGED EFFECTIVE AUGUST 29, 2021.

The US Postal Service released changes to the bulk mail permits. The city utility bill postcard is considered a "machinable" mail item, therefore it requires a barcode stamped on the card in order to be processed by the machine. Connie Gore is working with our software program to see if the program has the ability to print the barcode on the postcards. In the meantime, we can put regular postcard stamps on the bills. The cost per card by permit is \$0.33 ½ and the cost of a postage stamp is \$0.40. The cost for the permit is \$245/year.

The price increased for non-machinable items such as the newsletters. These items do not require a barcode but the rate went up to \$0.70/newsletter and the current first-class stamp is \$0.58. The permit for the newsletter is also \$245/year. CC Wade will not be renewing the permit for the newsletters in 2022.

KMGA AUGUST 31 NATURAL GAS PRICING UPDATE

KMGA has been updating cities on a monthly basis of the pricing in the natural gas industry. Daily index prices posted on July 1, 2021 averaged around \$3.46/MMBtu. As of August 30, 2021, those prices have increased more than 15%. The NYMEX futures contracts for the upcoming winter season are averaging \$4.43/MMBtu as opposed to the current \$3.69/MMBtu average. The exports of liquified natural gas for the first six months of 2021 averaged 9.6 Bcf/day which is up 42% from the same period in 2020 when the average was 2.8 Bcf/day. Approximately 20% of gas production is being exported. Rig permits for new wells have stalled. Production has remained flat, injections into storage this summer have been below historical volumes. Energy Information Administration projects storage inventory will begin the winter season below the five-year average.

ALCOHOL SALES EARLIER ON SUNDAY PER NEW LEGISLATION.

CC Wade updated the Council on legislation which was approved at the end of the summer regarding the change in the sale of alcohol on Sunday. A City would have to adopt by ordinance a change to allow the sale of alcohol as early as 9:00 a.m on Sunday's. The current regulation of the City of La Cygne is for the sale of alcohol on Sunday starting at noon.

Sarah and Elizabeth Vore, new owners of Frankie's Liquor Store in La Cygne, were present to ask the Council to consider this legislation. Sarah shared support for those watching Sunday football games or vacationing at the lake to be able to get their alcohol earlier in the day prior to the game or prior to starting their day at the lake. "Patrons are going to purchase and I would rather they purchase from us locally then travel elsewhere," stated Sarah Vore. The Council would like to review the new legislation and will keep Sarah and Elizabeth Vore informed. Council Member Curtis welcomed the new owners and thanked them for attending the meeting to share their insight.

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NOTES AND COMMUNICATIONS TO COUNCIL:

None

GOVERNING BODY REMARKS:

None

ADJOURNMENT:

❖ ***Motion***

Council Member Curtis moved to adjourn the meeting. Motion seconded by Council Member Thies, voted on, passed 3-0. Time 8:48pm.

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 1st day of September, 2021.