

**Record of the Proceedings of the Governing Body**  
**REGULAR MEETING**

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**October 4, 2023**

**REGULAR MEETING:**

The La Cygne City Council met on Wednesday, October 4, 2023 at the La Cygne Community Building. Council Members present were: Thomas Capp; Keith Stoker; David Brenneman; and Danny Curtis. Absent: Jerome Mitzner and City Attorney Harding.

Others in attendance included, but not limited to: City Clerk (CC) Jodi Wade; Public Works Superintendent (PWS) Dan Nasalroad; Linn County Newspaper, Tony Furse; Linn County Journal Roger Simms; Devin Canada.

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

Pledge of Allegiance – Mayor Debra Wilson

**MAYOR COMMENTS:**

- a] Reminder to young patrons to be sure to register to vote before October 17, 2023.
- b] The Lead and Copper Inventory Campaign initiated this past week. Postcards were sent to all addresses within the City of La Cygne. Hard copies of the survey are available at the La Cygne City Hall, La Cygne Library and both banks.
- c] General Pleasanton days will be held on October 7<sup>th</sup> and 8<sup>th</sup>.
- d] Ray of Hope Fish Fry will be held on October 14 from 5pm – 7pm at the Library Great Room.

**CONSENT AGENDA:**

**❖ Motion to approve Consent Agenda:**

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

Minutes of September 20, 2023 City Council Meeting;  
Check Register: September 21, 2023 – September 30, 2023;

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

**DISCUSSION FROM THE FLOOR:**

Devin Canada presented the results of his research of the Mayors of La Cygne from 1869 to date. Devin provided statistics for how many Mayors the city has had, those who served the longest term, the only African-American Mayor, only female Mayor(s) and a few historical facts.

**REPORTS OF CITY OFFICERS:**

**INTERIM CHIEF OF POLICE – JO LESTOURGEON:**

40 - Traffic Stops Conducted  
Citations issued since last meeting - 11

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Speed School Zone 3 Expired Plate 0

**REPORTS OF CITY OFFICERS CONTINUED:**

**INTERIM CHIEF OF POLICE – JO LESTOURGEON:**

Suspended DL	1	No Tag / Plate	1
Insurance	2	EXP DL	1
Improper Passing	0	Speed	0
Aggressive Dog/RAL/Tag	0	Disorderly	1
Animal Cruelty	0	Fail to Yield	2

Calls for Service / Reports – 09/06/2023 @ 1300 hours to 10/03/2023 @ 1330 hours

Animal Complaint – 4	Traffic Complaints - 1
Assist Outside Agency – 4	Runaway Juvenile – 1
Criminal Damage – 2	Citizen Assist CFS / contact - 4
Fingerprints – 3	Juvenile Incident – 4
Check Welfare – 3	Theft – 2
Follow Up – TMTC	Felony Cases - 2
Suspicious Activity – 2	Civil Matter – 1
Motorist Assist – 2	Disorderly Conduct - 4
Non-Injury Accident – 0	Violation of PFA – 2
911 Open Line – 1	Citizen Contact – TMTC
Disturbance – 6	Warrant Attempt - 1
Building Check – 4	Misc. Warrant Arrest - 0
Vehicle Lockout – 2	Felony Warrant - 0
Record Checks – 8	CINC – 0
Intoxicated Subject – 4	Recovered Stolen Vehicle - 1

Total CFS - 102  
 New Cases Opened - 11  
 Cases for the year -147

**CODES**

Still looking into issue at 528 N. 6<sup>th</sup> Street

VIN Inspections - 10

New Business / Information

- Still waiting for the Durango to be finished with upfitting, waiting on last part to arrive.
- 302 Unit radio was fixed.
- Would like to thank Linn Valley Police Department, Linn County Sheriffs Office, and Parker Police Department for assisting while we are short staffed.

**PUBLIC WORKS SUPERINTENDENT – DAN NASALROAD:**

Water:

- Special meeting for water plant upgrades.

Sewer:

- Lagoon project still planned to start at the end of the month.

- Line behind Simple Simons had to be jetted. Lack of flow.

**REPORTS OF CITY OFFICERS CONTINUED:**

**PUBLIC WORKS SUPERINTENDENT – DAN NASALROAD:**

Gas:

- Skid Loader from Kirby Smith is being delivered this week. Total being \$71,169.53

Streets:

- Tree trimming along the streets is almost complete.

Parks:

- The rest of the park will be winterized this week.
- Waiting for a pool update.
- Waiting for a quote for moving the fence at the pool.

Community Building:

- PWS Nasalroad asked the Council about the long-term plans for the community building. The Council had decided to stop the use of the building as a rental facility since it was only being rented out 5-8 times a year. PWS Nasalroad asked the council about moving the meeting to the back room of the building in order to provide more space and better seating position for viewing the TV monitor/white board. Council Member Curtis expressed concern about executive sessions and PWS Nasalroad indicated the patrons would have to leave the room during those periods. Council Member Stoker suggested to give it a try at the next council meeting. Council Member Brenneman asked for clarity on which wall the television would be placed and PWS Nasalroad responded with the middle of the South wall.

Fire Department:

- Footings have been poured.
- Building scheduled to be on site on 10/12/2023

**CITY CLERK – JODI WADE**

- Attended the virtual Consultation Coordination Officer meeting to discuss the revised preliminary Flood Insurance Rate Maps which were received and reviewed.
- Met with MW Engineering to review the Water Plant financials and rates.
- Met with the Park Committee to begin the process of a Master Capital Improvement Plan for the La Cygne Community Park.
- Met with Commissioner Jason Hightower to review activity in our city/district.
- Attended the Chamber of Commerce Networking meeting on September 26, 2023.
- Assisted Deputy City Clerk Vogt with a campaign for the Lead and Copper Inventory.
- Prepared Zoning regulations to email to IBTS to review.
- Prepared Article 18 in to Ordinance form for final review.
- Prepared a spreadsheet of the Sewer Improvement Project expenditures to date to determine the remaining amount of funding.
- Created draft Capital Improvement Reserve Fund spreadsheet.
- Created draft Equipment Reserve spreadsheet.
- Researched GIS software implications and programs.
- Completed (5) Building Permit Applications.
- Completed Monthly Financials.
- Interviewed a couple of applicants for the Codes Officer position.
- Processed some HR reports.
- Created and ordered new wall maps for the City Hall and Community Building.

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- Filed 2022 Financial reports in the vault.

### **REPORTS OF CITY OFFICERS CONTINUED:**

#### **CITY CLERK – JODI WADE:**

- Researched Sales tax resolutions and ordinance.
- Reviewed current project files to make sure everything was up to date and in order.

#### **CITY TREASURER – CONNIE GORE**

##### **Utilities      *Monthly items completed:***

- Shut off's were completed.
- Sewer, Water, and Gas reports were completed.
- Penalties were assessed and delinquent notices were mailed.
- September utility billing process was completed. Bills were printed, mailed or e-mailed & bank pay customer lists were created and dropped off at each bank.
- At the end of **September 2023** we had **172** customers signed up for Front Desk.
- Completed sales tax and filed with the State.
- Worked on NSF credit card returns.
- Worked on Shut off rules, trash cancellation, and returned checks, credit/debit card/ACH returns.
- Attempted to reach someone with the Leap program for answers about holding checks.
- Leap supervisor called back. Holding checks is not acceptable. Starting Jan. 2024 checks will only be good for 90 days.

##### **Court      *Monthly Court items completed***

- Reviewed the docket for the September court.
- Court
- Court paper work was completed and filed with the State and the State was paid their portion.
- Attended the KACM court clerk conference in Manhattan.

##### **Payroll:**

- 1<sup>st</sup> Payroll: Reviewed time cards, reviewed the payroll reports and benefit deductions. I completed the vacation/sick spreadsheet
- 2<sup>nd</sup> Payroll: Reviewed time cards, reviewed the payroll reports and benefit deductions. I completed the vacation/sick spreadsheet.
- 3<sup>rd</sup> Payroll: Reviewed time cards, reviewed the payroll reports and benefit deductions. I completed the vacation/sick spreadsheet

##### **Cemetery:**

- Worked on a report for the Mayor.
- Reviewed the video Councilman Brenneman sent.

##### **Other:**

- Worked on a non-conforming/vacant lot map.
- Invoices: 2<sup>nd</sup> and 3<sup>rd</sup> invoices were sent. Accounts have been prepared for collections.
- 2 accounts were sent to the county for the tax role.
- BNSF was billed for the year for mowing.

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**SPECIAL PROJECTS:**

**SEWER REHABILITATION PROJECT (BG CONSULTANTS)**

Nothing to report at this time.

**KDOT CCLIP KS HWY 152 & INDUSTRIAL ROAD IMPROVEMENT PROJECT:**

No updates at this time.

**WATER PLANT IMPROVEMENT ANALYSIS:**

CC Wade and PWS Nasalroad are preparing for the October 10, 2023 special meeting.

**WATER PLANT SETTLING POND IMPROVEMENT PROJECT:**

The final pay application will be prepared.

**NEW FIRE STATION 2022:**

Footings have been poured in preparation for foundation. Pay Application No. 2 from Hofer & Hofer & Associates, Inc in the amount of \$80,350.99 for the period to 8/31/2023.

❖ **Motion**

**Council Member Stoker motioned to approve Pay Application No. 2 from Hofer & Hofer & Associates, Inc in the amount of \$80,350.99 for the period of 8/31/2023. Motion seconded by Council Member Brenneman, voted on, passed 4-0.**

Pay Application No. 3 from Hofer & Hofer & Associates, Inc in the amount of \$5,286.60 for the period to 9/30/2023.

❖ **Motion**

**Council Member Capp motioned to approve Pay Application No. 3 from Hofer & Hofer & Associates, Inc in the amount of \$5,286.60 for the period to 9/30/2023. Motion seconded by Council Member Stoker, voted on, passed 4-0.**

PWS Nasalroad advised the Council of temporary electric service for the Fire Station project will cross over the west end of the Alley between Sycamore/Vine and 4<sup>th</sup>/5<sup>th</sup> street. The alley will be blocked on the west end during working hours. The alley will be opened back up during the evenings. Homes with driveways in the alley will be able to enter from the East.

**COUNCIL COMMITTEE REPORTS:**

**WATER & GAS -NONE**

**STREET -NONE**

**SEWER -NONE**

**PUBLIC SAFETY -NONE**

**EMPLOYEE RELATIONS & TRAINING-NONE**

**CEMETERY -NONE**

**COMMUNITY BUILDING-NONE**

**PARK-**

The pea gravel is getting thin in areas on the main playground. PWS Nasalroad asked the park committee if they had an opinion on whether to stay with the pea gravel or use mulch.

**SPECIAL COMMITTEE REPORTS:**

**EMERGENCY MANAGEMENT: NONE**

**CHAMBER OF COMMERCE – NONE**

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

**NEW BUSINESS:**

**ORDINANCE NO. TO REMOVE IN ITS ENTIRETY CHAPTER IV, ARTICLE 4. MOBILE HOMES AND MOBILE HOME PARKS OF THE CODE OF THE CITY OF LA CYGNE, KANSAS**

CC Wade reminded the Council regarding Article 18: Factory Built Homes which was approved at the last meeting now contains all of the information which had been under Chapter IV, Article 4. This ordinance will remove Article 4 from the codes book to avoid duplication.

❖ **Motion**

**Council Member Capp motioned to approve Ordinance No. 1515 to remove in its entirety Chapter IV, Article 4. Mobile Homes and Mobile Home Parks of the Code of the City of La Cygne, Kansas. Motion seconded by Council Member Stoker, voted on, passed 4-0.**

**UNFINISHED BUSINESS:**

**528 N 6<sup>TH</sup> STREET**

Mayor Wilson spoke with City Attorney Harding and Interim Chief LeSturgeon to brief them about the agreement. Interim Chief LeSturgeon will move forward with contacting the owners.

**402 S. BROADWAY**

CC Wade spoke to City Attorney Harding regarding an agreement to proceed with a quit claim deed process. Should have a draft either tomorrow or Friday.

**209 N BROADWAY**

Water standing at the corner of Chestnut and Broadway after rain events. Council concurred the necessity to review the Stormwater Survey and to have engineered information prior to any work being performed to resolve the problem.

**PLUGGED CULVERTS**

PWS Nasalroad completed the service work orders for each of the following culvert concerns.

- Alley culvert West side of 7<sup>th</sup> Street south of Swan. PWS Nasalroad indicated the culvert needed some maintenance performed due to overgrown weeds.
- Alley culvert plugged and no culvert present to new home on west side of 7<sup>th</sup> Street south of Walnut Street. PWS stated he advised the owner of no need for a culvert. There are no culverts on the access points in this block. It is a very shallow ditch making it difficult for the installation of a culvert pipe.
- Alley culvert plugged on the West side of 5<sup>th</sup> Street North of Walnut. PWS Nasalroad stated the culvert is plugged. He questioned the installation of a new culvert. The alley is an unimproved/maintained alley which currently has a building on the west end preventing it from being a travel through alley. PWS Nasalroad also indicated the neighbor to the north of the alley uses the alley for their "circle" drive-way. The Council advised PWS Nasalroad to get pricing for plastic and steel culverts in 20' lengths.

**UNFINISHED BUSINESS CONTINUED:**

**DRAFT ARTICLE 3. WORK-SITE UTILITY VEHICLES, GOLF CARTS AND ALL-TERRAIN VEHICLES**

CC Wade indicated Chief Fenoughty and Interim Chief LeSturgeon would need to assist with the draft revisions for Article 3.

**STORMWATER SURVEY (BG CONSULTING – ABBY MILLS)**

No updates at-this-time.

**EXECUTIVE SESSION:**

❖ **Motion**

Council Member Capp motioned to go in to executive discussion for 7-minutes for non-elected personnel employee performance review and to return to the council table at 7:38pm. Motion seconded by Council Member Curtis, voted on, passed 4-0. 7:31pm.

Others in attendance: CC Wade

**OPEN SESSION RESUMED AT 7:38pm:**

❖ **Motion**

Council Member Capp motioned to go in to executive discussion for 10-minutes for non-elected personnel employee performance review and to return to the council table at 7:49pm. Motion seconded by Council Member Curtis, voted on, passed 4-0. 7:39pm.

**OPEN SESSION RESUMED AT 7:49pm:**

❖ **Motion**

Council Member Capp motioned to go in to executive discussion for 10-minutes for non-elected personnel employee performance review and to return to the council table at 7:58pm. Motion seconded by Council Member Curtis, voted on, passed 4-0. 7:48pm.

**OPEN SESSION RESUMED AT 7:58pm:**

**POLICY REVIEW IN PROGRESS:**

**ARTICLE 22 DRAFT OFF-STREET PARKING**

The Mayor indicated the Planning & Zoning and Council has reviewed this article and held a public hearing pertaining to the article over a year ago. Council Member Brenneman was not on the council at the time. The Mayor began the review of the draft Article 22. The council covered the following sections with the following recommendations:

Section 22-1 PURPOSE

22-201: Good

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22-202: Good  
22-203: Good  
22-204: Omitted  
22-205: Omitted  
22-206: Omitted  
22-207: OK

Section 22-3 LAYOUT AND DESIGN REQUIREMENT

22-301: Good  
22-302(a): Good  
22-302(b): Good  
22-302(c): Good  
22-302(d): Good  
22-302(e): Good  
22-302(f): Good  
22-302(g): Good

22-303: Good  
22-304: Good  
22-305: Good  
22-306: Good  
22-307: Need to clarify the language to define where to measure the 40ft. from.

**GOVERNING BODY REMARKS**

**ADJOURNMENT:**

❖ ***Motion***

**Council Member Capp moved to adjourn the meeting. Motion seconded by Council Member Curtis, voted on, passed 4-0. Time 8:30p.m.**

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 4<sup>th</sup> day of October 2023.