

Record of the Proceedings of the Governing Body

REGULAR MEETING

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December 20, 2023

REGULAR MEETING:

The La Cygne City Council met on Wednesday, December 20, 2023 at the La Cygne Community Building. Council Members present were: Keith Stoker; David Brenneman; Danny Curtis; and Jerome Mitzner.

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.

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

Pledge of Allegiance – Mayor Debra Wilson

MAYOR COMMENTS:

A] Thank you to all who prepared and participated in Christmas on Broadway, the Whoville Parade and the Lighting of the Mayor's Tree. We had a fantastic community turnout. The evening was filled with fun for the entire family! The parade was spectacular! Mayor Wilson asked those who attended the event what suggestions they had for next year. Comments were shared about the success of the parade entries and the crowd present to enjoy the festivities. Mayor Wilson appreciated any feedback in order to help address any improvements needed to manage the event in the future.

B] City Hall and Trash Compactor closure for the holidays: City Hall will be closed Monday, December 25, 2023 and Tuesday, December 26, 2023 and Monday, January 1, 2024. The Trash Compactor will be closed on Sunday, December 24, 2023, Monday, December 25, 2023 and January 1, 2024.

CONSENT AGENDA:

❖ Motion to approve Consent Agenda:

Council Member Mitzner motioned to accept the Consent Agenda.

Minutes of the December 6, 2023 Council Meeting;
November 2023 Budget Report;
November 2023 Treasurer's Report;
Check Register: December 7, 2023 – December 15, 2023;

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

DISCUSSION FROM THE FLOOR:

None

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REPORTS OF CITY OFFICERS:

POLICE CHIEF – TINA FENOUGHTY

41 – Traffic Stops Conducted

Citations issued since last meeting - 6

Speed School Zone	2	Expired Plate	1
Suspended DL	1	No Tag	0
Insurance	2	Expired DL	1
Improper Passing	0	Speed	1
Aggressive Dog/RAL/Tag	1	Paraphernalia	0
Animal Cruelty	0	Inattentive	0

Calls for Service / Reports – 04/05/2023 thru 04/19/2023

Animal Complaint – 6	Traffic Complaints - 1
Assist Outside Agency – 2	Runaway Juvenile – 0
Criminal Damage – 1	Citizen Assist CFS / contact - 37
Fingerprints – 0	Juvenile Incident – 2
Check Welfare – 3	Fraud – 1
Alarm Calls – 5	Burglary - 3
Suspicious Activity – 7	Civil Matter – 3
Motorist Assist – 2	Ambulance- 2
Non-Injury Accident – 0	Violation of PFA – 2
911 Open Line– 0	Suspicious Vehicle – 2
Disturbance – 4	Warrant Attempt - 2
Parking Complaint – 0	Misdemeanor Warrant Arrest – 1
Vehicle Lockout – 1	Felony Warrant – 1 (1/2 million dollar bond on La Cygne case)
Record Checks – 3	CINC - 4
Intoxicated Subject – 0	Sexual Assaults - 3

VIN Inspections- 9 completed

New Business/Information

- Assisted with multiple DCF Investigations and meetings with parents and family members.
- Countless hours spent on sexual assault investigations. Including multiple contacts/interviews outside city limits. Picking up evidence from hospital and personally driving to Topeka.
- District court hearing and prior to hearing reviews of case files and notes.
- Burglary reports involved extensive hours of lost property entry. Each item in the storage units has to be entered separately.

CODES OFFICER – DEVIN CANADA

Report from 12/6/2023 – 12/15/2023

Code Letters:

• Nuisance	(0) Corrected	(5) Still in Progress	(0) Citation	(6) New
• INOP	(0) Corrected	(1) Still in Progress	(0) Citation	(5) New
• OTHER	(0) Corrected	(2) Still in Progress	(0) Citation	(1) New

REPORTS OF CITY OFFICERS CONTINUED:

CODES OFFICER – DEVIN CANADA

Report from 12/6/2023 – 12/15/2023

Permits:

- **1010 Linnco Drive – Use Permit**
- **948 Linnco Drive #C – Use Permit**
- **1009 Linnco Drive Business #1 – Use Permit**

Projects:

- Broadway Trailer Park – Contacted owner of both the North and South Manufactured Home Park and had a Zoom meeting with him. #18 will be removed in the first quarter of 2024.
- South/Sycamore Trailer Park – Owner indicated #1 to be removed in February 2024, #5 will have work started on the porch in 2-3 weeks. Ryan Hill was informed that #13 and #14 need skirting repaired. He has responded that 4 mobile homes are on the list to be repaired #5, #15, #14 and #13. He is trying to get a vacant RV removed from the site.

Other:

- Contacted the owners of businesses in the Industrial Park as we are missing Use Permits and Conditional Use Permits in all but U.S. Minerals. Three businesses to date have obtained their Use Permits as identified above.
- 803 S. 4th Street wrote owner to have an initial contact over shed with collapsed roof. Tried to go by I person as well but they were not home.

PUBLIC WORKS SUPERINTENDENT – DAN NASALROAD

PWS Nasalroad advised the governing body that Plant Operator Codee Blanchett has resigned from his position the end of November 2023. PWS Nasalroad contacted KDHE to be the temporary Operator-In-Training. PWS Nasalroad completed the necessary steps to earn his CLASS II certification and is now the designated operator for the Water Plant. PWS Nasalroad is going to see how things go through the winter before advertising the position.

SPECIAL PROJECTS:

SEWER REHABILITATION PROJECT (BG CONSULTANTS)

None

SEWER LAGOON DESLUDGING (REED ENVIRONMENTAL LLC)

None

STORMWATER MASTER PLAN (BG CONSULTANTS):

Mayor Wilson asked the council about scheduling a workshop in January 2024 to review the Stormwater Master Plan presented by BG Consultants at the December 6, 2023 meeting.

STREET PROJECT – KDOT CCLIP PROJECT AT KS HWY 152 AND INDUSTRIAL BLVD (KDOT/KILLOUGH CONSTRUCTION/CFS ENGINEERING)

No updates at this time

SPECIAL PROJECTS CONTINUED:

WATER PLANT IMPROVEMENT ANALYSIS

CC Wade will be submitting the grant application for the Kansas Water Office "Water project Grant" next week. CC Wade is submitting for the entire project cost of \$3.8 million.

NEW FIRE STATION/PUBLIC SAFETY BUILDING

Project Construction Meeting was held on Wednesday, December 13 on site with Hofer & Hofer and Zingre Architects. Field Notes discussed. Mayor Wilson advised the Council read through the notes regarding the progress and any concerns addressed.

COUNCIL COMMITTEE REPORTS:

Mayor Wilson asked the Council Members to email or text to her three committees, in priority order, they would be interested in serving on starting in January 2024. Mayor Wilson will review the request and present the committee assignments at the new year meeting in January 2024.

WATER & GAS -NONE

STREET -NONE

SEWER -NONE

PUBLIC SAFETY - NONE

CEMETERY -NONE

COMMUNITY BUILDING-NONE

EMPLOYEE RELATIONS & TRAINING-NONE

PARK- PWS Nasalroad and CC Wade addressed the Council regarding the waterslide. The city council attempted to surplus the slide and no bids were received. The city council removed the reserve and reached out to interested parties to submit a bid, none were received. The city has been contacted by a non-profit camp interested in the waterslide, the company that dismantled the slide for us met with the camp to provide a quote for them to install the slide at their facility. The quote was above the funding the camp has at this time. CC Wade asked the council if they would be willing to donate the slide to the camp? Discussion was held regarding the costs for the city to scrap the components. Council Member Mitzner recommended a written agreement to the buyer, holding the city harmless and not liable for the slide. CC Wade will reach out to the interested party and draft an agreement for the council to review.

SPECIAL COMMITTEE REPORTS:

EMERGENCY MANAGEMENT - NONE

CHAMBER OF COMMERCE - NONE

PLANNING & ZONING COMMISSION (PZC)

Working with IBTS on updating the Zoning Regulations. Currently the Commission and IBTS are doing an analysis of the New Comprehensive Plan in relation to the existing Zoning District classifications.

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SPECIAL COMMITTEE REPORTS CONTINUED:

LA HARPER HEIGHTS BOARD:

Paul Kana advised the board who was not interested in another term. Robert Burnett submitted a letter of interest to serve on the La Harper Heights Board.

❖ **Motion**

Council Member Mitzner motioned to approve Mayor Wilson's recommendation to appoint Robert Burnett to the La Harper Heights Board. Motion seconded by Council Member Curtis, voted on, passed 4-0.

PUBLIC BUILDING COMMISSION:

John Dowty, Scott Calvert and Matthew Boyd's terms will end on January 1, 2024. Scott Calvert and John Dowty expressed interest to serve another term.

❖ **Motion**

Council Member Mitzner motioned to approve Mayor Wilson's recommendation to appoint John Dowty and Scott Calvert to the Public Building Commission. Motion seconded by Council Member Curtis, voted on, passed 4-0.

NEW BUSINESS:

RECOGNITION OF COUNCIL MEMBER DANNY CURTIS FOR HIS YEARS OF SERVICE ON THE COUNCIL

Mayor Wilson thanked Danny Curtis for his dedication to the city over the past 8 years. She recognized the involvement Danny had in serving on the committees and with the infrastructure projects performed on the water and sewer. Mayor Wilson commended Danny on his commitment to the city and expressed how he will be missed. Mayor Wilson presented Danny Curtis with a service certificate and a framed La Cygne Banner and a gift card.

COST OF LIVING(COLA) CONSIDERATIONS FOR 2024. THE CITY OF LA CYGNE ADJUSTED THE COLA AS FOLLOWS IN THE PAST 5 YEARS:

- ✓ 2.5% in 2019
- ✓ 2.0% in 2020
- ✓ 1.3% in 2021
- ✓ 3.0% in 2022
- ✓ Pay scales were fully revised and YOS increase was given in 2023

The CRCS (Civil Service Retirement System) adjusted to 3.2% for 2024 and the FERS (federal Employment Retirement System) adjusted to 2.2%. (Note: these are the retirement programs which do not include additional pay raises).

Council Member Mitzner inquired what amount was factored in the 2024 Budget. CC Wade indicated 3.5%. Council Member Mitzner suggested tabling the decision on the COLA until the next meeting to allow the council time to do some research.

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UNFINISHED BUSINESS:

528 N. 6TH STREET AGREEMENT DATED OCTOBER 10, 2003.

Codes Officer Canada mailed a letter to the property owner.

209 N BROADWAY – WATER STANDING AT THE CORNER OF CHESTNUT AND BROADWAY AFTER RAIN.

Action: Council will proceed with action upon review of the stormwater survey and an engineers' opinion. Mayor Wilson suggested to wait until the workshop to discuss.

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

Action: CC Wade needs assistance from Chief Fenoughty and Sr. Officer Le Sturgeon to prepare a draft.

EXECUTIVE SESSION:

❖ **Motion**

Council Member Curtis motioned to go in to executive discussion for 5-minutes for non-elected personnel matter exception for an individual employee's performance for the City Attorney and to return to the council table at 7:28pm. Motion seconded by Council Member Stoker voted on, passed 4-0. 7:24pm

Others in attendance: CC Wade

OPEN SESSION RESUMED AT 7:28pm:

POLICY REVIEW IN PROGRESS

ARTICLE 22 DRAFT OFF-STREET PARKING REGULATIONS

IBTS and the Planning & Zoning Commission are reviewing the article draft.

DRAFT LANDLORD REGISTRATION ARTICLE.

No updates at this time.

NEW POLICY REVIEW:

ARTICLE 5. PARKING

ETHICS AND CUSTOMER SERVICE TRAINING

SOCIAL-MEDIA POLICY

BNSF QUIET ZONE

COMPANY VEHICLE USE

NOTES AND COMMUNICATIONS TO COUNCIL:

NONE

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ADJOURNMENT:

❖ ***Motion***

Council Member Curtis moved to adjourn the meeting. Motion seconded by Council Member Stoker, voted on, passed 4-0. Time 7:33p.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 20th day of December 2023.