

Record of the Proceedings of the Governing Body
REGULAR MEETING

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April 19, 2023

REGULAR MEETING:

The La Cygne City Council met on Wednesday, April 19, 2023 at the La Cygne Community Building. Council Members present were: Thomas Capp; David Brenneman; and Danny Curtis.

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; and Kent Wade.

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

Pledge of Allegiance – Mayor Debra Wilson

MAYOR COMMENTS:

Mayor Wilson thanked the patrons for attending the “Build Your City” Open House on April 12, 2023. Mayor Wilson thanked the city staff for organizing the event. Mayor Wilson presented certificates to the 3rd grade students, 5th grader and 8th grader who participated in the “If I were Mayor...” contest. There were several conversations regarding housing, downtown renovation, stormwater/ditches, and recreation facilities. Patrons expressed appreciation for the opportunity to speak with the governing body about city operations and showed interest in having the event once a year.

CONSENT AGENDA:

❖ **Motion to approve Consent Agenda:**

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

Minutes of April 5, 2023 City Council Meeting;
March 2023 Budget Report;
March 2023 Treasurer’s Report;
1st Quarter 2023 Financial Statement;
Check Register: April 6 – April 19, 2023

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

DISCUSSION FROM THE FLOOR:

Kent Wade addressed the governing body about concern with the ditches and standing water. Kent had completed and presented 4 concern forms for some areas which he felt needed to be addressed and stated his concerns with mosquito breeding grounds. Kent visited with Codes Officer Allison Fox regarding the codes pertaining to culvert pipes and ditches. Kent advised the council the last time he knew the ditches had been adamantly addressed by the city was during the 1990 resurfacing of the streets. Kent discussed the library “lake” which he knew the city had addressed the library board about the problem but to date nothing has been done to fix the problem. Council Member Curtis stated the city used to go out during heavy storm events and monitor ditches and culverts but he has not seen the city doing that recently. PWS Nasalroad corrected Council Member Curtis’ statement and stated his crew has continued to go out during rain events to check the city culverts under the street crossings. PWS Nasalroad stated the only tool they have available to relieve

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DISCUSSION FROM THE FLOOR CONTINUED:

a culvert is a long pole to attempt to poke through. Council Member Capp mentioned concerns with the cost involved with the city replacing all culverts. CC Wade advised the council members to read sections 12-218, 12-219 and 12-222 in Chapter XII of the Codes of the City of La Cygne which pertain to culvert installation and obstruction of ditches and the penalty set forth for violation of the codes. Mayor Wilson and the council members thanked Kent Wade for coming in to bring his concerns to their attention.

REPORTS OF CITY OFFICERS:

CITY ATTORNEY – BURTON HARDING: NONE

POLICE CHIEF – TINA FENOUGHTY:

7 – Traffic Stops Conducted

Citations issued since last meeting - 5

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

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

Animal Complaint – 8	Traffic Complaints - 3
Assist Outside Agency –4	Suicidal – 2
Ambulance – 1	Citizen Assist CFS / contact - 38
Fingerprints – 2	Juvenile Incident –5
Check Welfare – 1	Drug Arrest – 0
Follow Up – TMTC	Criminal Damage - 0
Suspicious Activity – 6	Civil Matter – 5
Motorist Assist – 1	Disorderly Conduct- 0
Theft – 2	Building Checks – 2
911 Open Line– 2	Suspicious Vehicle – 4
Disturbance – 3	Warrant Attempt - 1
Bank Alarm – 1	Misdemeanor Warrant Arrest – 1
Vehicle Lockout – 4	Felony Warrant – 0
Record Checks – 4	CINC - 0
Possible Sex Crime – 2	Compliance Check for SO on Offender’s - 2

VIN Inspections- 8 completed

New Business/Information

- Standing by for new vehicle arrivals in May.
- Officer Ferrell is doing well at the academy and there are no concerns.
- Billing has been submitted for assisting outside agency with holding of dogs at the pound and will continue to bill the outside agency weekly. The dogs are being held until final court decision.
- Officers were able to attend the Chamber of Commerce Easter Egg Hunt on 4/08/2023 at the City Park, the Build Your City Open House on April 12, 2023 and Dog Days on April 15, 2023, which went very well.

SPECIAL PROJECTS:

WATER PLANT SETTLING POND PROJECT (MIDWEST ENGINEERING GROUP/STARBUCK TRUCKING, LLC)

No updates at this time.

SEWER REHABILITATION PROJECT (BG CONSULTANTS)

CC Wade advised the Council and the public of the asphalt company being in town from April 24 – May 1, 2023 to perform the asphalt patching for the cuts made during the sewer project. PWS Nasalroad reviewed the punch list process and the closing out of the project.

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

No updates at this time.

NEW FIRE STATION/PUBLIC SAFETY BUILDING

Bid opening was held on April 11, 2023 at 1pm. Seven (7) sealed bids were received for the project. Mayor Wilson expressed a need to have the majority of the council present to review the bids received since this is a significant project. Item was tabled and Mayor Wilson asked CC Wade to reach out to all council members about a date the first week of May for a Special Meeting.

WATER TREATMENT PLANT ANALYSIS:

Dan Coltrain is finalizing the Master Plan for the Water Plant based on the analysis. CC Wade is reaching out to Carl Brown for an estimated cost to complete an analysis of the water rates.

STORMWATER MASTER PLAN (BG CONSULTANTS):

No updates at this time.

602 N. 5TH STREET:

Being researched and reviewed by PWS Nasalroad and CC Wade. SAMPLE DRAFT of a deed restriction/covenant agreement.

COUNCIL COMMITTEE REPORTS:

WATER & GAS -NONE

STREET –

Mayor Wilson asked the street committee to consider reaching out to an engineering company to begin the process for creating a master plan for the street projects.

SEWER - NONE

PUBLIC SAFETY -NONE

EMPLOYEE RELATIONS & TRAINING-NONE

CEMETERY -NONE

COMMUNITY BUILDING-NONE

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COUNCIL COMMITTEE REPORTS:

PARK-

Thayer Park electric power. Quote from Spears Electric for up to \$2500 to install a pedestal, meter, lights and plugs. PWS Nasalroad and Gary Spears met with Evergy to confirm the location of the meter set. Discussion was briefly held about which fund this project would come from. CC Wade indicated the city had \$90,000 which was earmarked for Christmas lighting or it would come out of the general park fund.

❖ **Motion**

Council Member Capp motioned to approve up to \$2500 for the installation of electric power at Thayer Park by Spears Electric. Motion seconded by Council Member Curtis voted on, passed 3-0.

PWS Nasalroad advised the council the Christmas tree came in and has been put in storage.

SPECIAL COMMITTEE REPORTS:

EMERGENCY MANAGEMENT- NONE

CHAMBER OF COMMERCE – NONE

PLANNING & ZONING COMMISSION (PZC)-

The Board of Zoning appeals held a Public Hearing on Thursday, April 13, 2023 regarding a variance for the parking lot located at 822 E. Vine Street.

OTHER BUSINESS:

a] DRAFT Article 18 – Factory Built Home District review. **Tabled to the May 3, 2023 meeting.**

b] 2024 Budget preparations. **Tabled to the May 3, 2023 meeting.**

EXECUTIVE SESSION:

❖ **Motion**

Council Member Capp motioned to go in to executive discussion for 5-minutes for non-elected personnel matter for an individual employee's performance for Public Works and to return to the council table at 7:36pm. Motion seconded by Council Member Curtis voted on, passed 3-0. 7:31pm

Others in attendance: PWS Nasalroad

OPEN SESSION RESUMED AT 7:36pm:

❖ **Motion**

Council Member Curtis motioned to approve to move Tristan VanVlack to a Laborer 2 and to approve a raise to \$17.00 per hour due to the completion of Operator Qualification for gas and completion of equipment operation training effective on the next payroll cycle. Motion seconded by Council Member Capp voted on, passed 3-0.

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RECESS:

❖ **Motion**

Council Member Capp motioned to take a 3-minute recess break and will return to the table at 7:41pm. Motion seconded by Council Member Curtis voted on, passed 3-0. 7:38pm

OPEN SESSION RESUMED AT 7:41pm:

EXECUTIVE SESSION:

❖ **Motion**

Council Member Curtis motioned to go in to executive discussion for 5-minutes for non-elected personnel matter for an individual employee's performance and to return to the council table at 7:48pm. Motion seconded by Council Member Capp voted on, passed 3-0. 7:43pm

Others in attendance: City Attorney Harding

OPEN SESSION RESUMED AT 7:48pm:

UNFINISHED POLICY REVIEW:

ARTICLE 22 DRAFT OFF-STREET PARKING REGULATIONS

ARTICLE G. DISCIPLINE – EMPLOYEE POLICY AND PROCEDURES

WATER AND SEWER RATE ANALYSIS

ARTICLE 5. PARKING

ATV/UTV REGULATIONS

CHAPTER 11. PUBLIC PROPERTY, ARTICLE 2. PARKS AND CAMPING

ETHICS AND CUSTOMER SERVICE TRAINING

SOCIAL-MEDIA POLICY

CHAPTER 6. FIRE, ARTICLE 2. FIREWORKS

BNSF QUIET ZONE

NOTES AND COMMUNICATIONS TO COUNCIL:

NONE

GOVERNING BODY REMARKS:

NONE

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ADJOURNMENT:

❖ ***Motion***

Council Member Capp moved to adjourn the meeting. Motion seconded by Council Member Curtis, voted on, passed 3-0. Time 7:50p.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 19th day of April 2023.