

Record of the Proceedings of the Governing Body
REGULAR MEETING

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June 7, 2023

REGULAR MEETING:

The La Cygne City Council met on Wednesday, June 7, 2023 at the La Cygne Community Building. Council Members present were: Thomas Capp; 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; Police Chief Tina Fenoughty; 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:

Mayor Wilson commented on the summer being in full swing. The park is busy with ballgames and family gatherings at the pavilions. The pool is open and the water is getting warmer!

On Monday, June 5, 2023, Mayor Wilson went out to Prairie View High School to welcome home the Honor Flight participants and their guardians. The bus carrying those who participated was escorted out to Prairie View by the Linn County Sheriff, La Cygne Police Department, Highway patrol and the veterans' motorcade. Mayor Wilson commented on the Honor Flight program and what a great experience and opportunity it was for the veterans' as well as the guardians.

CONSENT AGENDA:

Council Member Brenneman had asked for CC Wade to modify the comments from the discussion from the floor at the May 17, 2023 meeting. It was stated in the minutes that the washing machine was located in the yard and Council Member Brenneman indicated the washing machine was located on a concrete surface near the home. CC Wade will make the modification to the minutes.

❖ **Motion to approve Consent Agenda:**

Council Member Mitzner motioned to accept the Consent Agenda with the modifications as directed by Council Member Brenneman.

Minutes of May 17, 2023 City Council Meeting;
Check Register: May 18 – June 2, 2023

Motion seconded by Council Member Capp, voted on, passed 5-0.

DISCUSSION FROM THE FLOOR:

NONE

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REPORTS OF CITY OFFICERS:

CHIEF OF POLICE – TINA FENOUGHTY:

7 - Traffic Stops Conducted

Citations issued since last meeting - 3

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

Calls for Service / Reports – 05/12/2023 @ 1300 hours to 06/06/2023 @ 1700 hours

Animal Complaint – 9	Traffic Complaints - 6
Assist Outside Agency – 3	Suicidal – 1
Ambulance – 3	Citizen Assist CFS / contact - 38
Fingerprints – 1	Juvenile Incident – 9
Check Welfare – 4	Fraud – 1
Follow Up – TMTC	Criminal Damage - 0
Suspicious Activity – 7	Civil Matter – 11
Motorist Assist – 3	Disorderly Conduct - 3
Theft – 0	Building Checks – 2
911 Open Line – 0	Suspicious Vehicle – 3
Disturbance – 5	Warrant Attempt - 1
Fire Alarm – 0	Misd. Warrant Arrest - 0
Vehicle Lockout – 2	Felony Warrant - 0
Record Checks – 3	CINC – 0
Intoxicated Subject – 1	Non-Injury Accident - 0

VIN Inspections - 6 completed

New Business / Information

Status on patrol unit: Council members were able to view the new police vehicle prior to the meeting this evening. Chief Fenoughty informed the council she is getting a quote from Mutiplicity to outfit the new vehicle. They are currently 6-weeks out for getting the vehicle in to be worked on. This company is used by Miami County, Osawatomie, Paola, and Federal Contractors. Their work comes highly recommended. The company is located in Louisburg.

Officer Ferrell Graduation: Achilles Ferrill is doing well at the KLETC academy. His graduation is set for Friday, June 30, 2023. Chief Fenoughty and Officer LeStourgeon will be attending the ceremony.

City Pound: Miami County has paid for all invoices for the outside agency assist and impounding of the dogs.

REPORTS OF CITY OFFICERS CONTINUED:

PUBLIC WORKS SUPERINTENDENT – DAN NASALROAD:

This report will include tasks outside of our normal day to day duties.

Report from 05-17-2023 to 06-07-2023

Committee Discussions

Water and Gas:

- Theft of services and turn offs. Fees?
- American Fence should be back this next week to finish.
- Purchase Order No. 2023-6 for up to \$5000 for utility locator.

Street:

- Access aprons?
- Asphalt repairs are complete.
- Pothole repairs mostly completed.
- Removal of trailer at 528 N. 6th Street (Linda Williams). Neighbors inquired as to the progress. Discussion was held if the city had any involvement or obligation to proceed with getting the manufactured home moved off of the alley. City Attorney Harding said the city could proceed with the requirements as outlined in the agreement and submit all cost to the taxroll.

Sewer:

- Final cleanup crew will be back next week.
- Sewer lagoon rehab pre-bid meeting on the 2nd of June.
- Final CCTV has been completed waiting on our copy.
- Park Lift Station had electrical issues, had to monitor over the holiday weekend.

Park:

- Pool is up and running.
- Looking at adding water to the enclosed shelter.
- Pool slide has been taken down.

Cemetery:

- Looked great, team did a nice job.
- Have 2 trees that need to be removed.

Community Building:

No updates at this time.

Fire Department

Colors have been selected so Hofer & Hofer and Associates can order the building. CC Wade is waiting on some paperwork.

REPORTS OF CITY OFFICERS CONTINUED:

CITY CLERK – JODI WADE:

Report for May 2023

City Clerk

- Attended MRWAD meeting. Discussion was held regarding building of reserves for future maintenance and improvement projects.
- Planning & Zoning meeting.
- Met with Pool managers to prepare for the season.
- Attended the Sewer Improvement Project progress meeting.
- Attended the Trash Compactor meeting with the Linn County Commissioners.
- Attended the Linn County Housing Commission meeting.
- Attended the KMGVA Virtual Board meeting regarding Gas Supply alternatives for purchasing supply.
- Attended Budget Training in Iola, KS.
- Preparing first draft of the 2024 Budget
- Reviewed existing active files for the Codes department.
- Advertised for Public Works position.
- Advertised for Codes Enforcement Officer position.
- Prepared documents for upcoming Gas Inspection.
- Facilitated phone calls regarding grass letters.
- Prepared End of month reports.
- Reviewed current budget in preparation for next budget.
- Getting paperwork prepared for Public Building Commission Revenue Bonds for the new Fire Station.
- Completed revisions on Deed Restrictions/Covenants and emailed final to the realtor for 602 N. 5th Street.
- Published Ordinances approved at the council meeting.
- Reviewed revisions to the Campground Reservation Information.
- Prepared paperwork and check for the purchase of new Police vehicle.
- Contacted a shredding company to schedule an appointment for July 2023 to dispose of old documents.

CITY TREASURER – CONNIE GORE:

TREASURER/COURT CLERK REPORT

05-01-2023-05/31/2023

Utilities *Monthly items completed:*

- Shut off's were completed.
- Sewer, Water, and Gas reports were completed.
- Penalties were assessed and delinquent notices were mailed.
- May 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 May 2023 we had 145 customers signed up for Front Desk.
- Completed sales tax and filed with the State.

Court *Monthly Court items completed*

- Reviewed the docket for the May court.
- Court paper work was completed and filed with the State and the State was paid their portion.

REPORTS OF CITY OFFICERS CONTINUED:

CITY TREASURER – CONNIE GORE:

Payroll:

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

Cemetery: All basic data has been entered in all 3 cemeteries.

- The Pollman sections has been completed. (Need to review and cross reference dates at a later time).
- I have started the research for the Oaklawn section.

Other:

- Took the Operation Red Folders to the Library ad requested they hand them out. Explained what they were and requested to be added to one of the Senior Meals For the Red Folders and to review the current procedures for severe weather and sirens.

SPECIAL PROJECTS:

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

No updates at this time.

SEWER REHABILITATION PROJECT (BG CONSULTANTS)

Pre-bid meeting was held on June 2, 2023 for the sewer lagoon desludging and improvements. Five contractors attended the meeting. Paul Owings, BG Consultants, was present and Abby Mills, BG Consultants, was on speaker phone. Contractors were taken to the lagoon site for review. Bid opening is on June 9, 2023 at 1pm.

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

No updates at this time. Council Member Curtis inquired about the new sidewalk from the KDOT CLLIP project which is already cracked. Mayor Wilson referred to the email received from Ian Stringham, with KDOT, which indicated the project had already been accepted and at this point it is the cities to fix.

NEW FIRE STATION/PUBLIC SAFETY BUILDING

Pre-construction meeting is scheduled for June 6, 2023. Contract will be signed. Color options will be reviewed, construction schedule will be reviewed, utility installation will be reviewed.

Ordinance No. ____ authorizing the City of La Cygne, Kansas to enter into a base lease with the City of La Cygne, Kansas Public Building Commission whereby the city will lease to the Public Building Commission certain property; Enter into a lease with said Public Building Commission whereby the city will lease from the Public Building Commission certain property, including a new Public Safety Building Improvements; approving the form of said leases; and authorizing the execution thereof and certain related documents.

SPECIAL PROJECTS CONTINUED:

NEW FIRE STATION/PUBLIC SAFETY BUILDING

❖ **Motion**

Council Member Capp motioned to approve Ordinance No. 1511 authorizing the City of La Cygne, Kansas to enter into a base lease with the City of La Cygne, Kansas Public Building Commission whereby the city will lease to the Public Building Commission certain property; Enter into a lease with said Public Building Commission whereby the city will lease from the Public Building Commission certain property, including a new Public Safety Building Improvements; approving the form of said leases; and authorizing the execution thereof and certain related documents. Motion seconded by Council Member Stoker, voted on, passed 5-0.

❖ **Motion**

Council Member Capp motioned to approve for Mayor Wilson to sign all documentation involved with the Revenue Bond Series 2023, Base lease and lease. Motion seconded by Council Member Stoker, voted on, passed 5-0.

WATER TREATMENT PLANT ANALYSIS:

No updates at this time.

STORMWATER MASTER PLAN (BG CONSULTANTS):

No updates at this time.

602 N. 5TH STREET: DECLARATION OF COVENANTS, CONDITIONS, EASEMENTS AND RESTRICTIONS.

PWS Nasalroad contacted a realtor to put together a listing contract. CC Wade emailed copies of the survey and deed restrictions to the realtor. PWS Nasalroad reviewed the Seller's estimated proceeds worksheet in the amount of \$22,345. He also reviewed the current expenses to date the City has invested in the property which amounted to \$22,769. The lot will be priced at \$24,500. PWS Nasalroad will complete the Sellers disclosure and Mayor Wilson would need to proceed with signing all necessary documents with Clinch Realty. The contract is a standard 6-month agreement.

❖ **Motion**

Council Member Mitzner motioned to list the property located at 602 N. 5th Street as presented and with the attached deed restrictions with Clinch Realty for a 6-month period. Motion seconded by Council Member Capp, voted on, passed 5-0

COUNCIL COMMITTEE REPORTS:

WATER & GAS -

- CC Wade reviewed updates from KMGA regarding third party gas supply purchasing. Due to shortage in employees and for better opportunities for purchase gas during major events, KMGA is looking in to contracting with a third party. CC Wade will keep the council updated as things are reviewed.
- CC Wade reviewed possible additional annual costs for fees for MRWAD (Marais Des Cygnes Water Assurance district) to help build a reserve fund for possible improvements (desludging)

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of the reservoirs (Melvern/Pomona). The district is considering a 5-year and 10-year period to building up a reasonable reserve.

- Purchase Order No. 2023-6 in the amount of \$4347 for a Radiodetection RD7200 and 5-Watt Transmitter Kit. PWS Nasalroad explained the condition of the current locaters and how he is having to ask USDI to perform the locates currently. Council Member Curtis indicated he utilized this brand of locator where he works and has had a positive experience with the units operation and performance.

❖ **Motion**

Council Member Capp motioned approve Purchase Order No. 2023-6 in an amount not to exceed \$4500. Motion seconded by Council Member Stoker, voted on, passed 5-0

STREET -NONE

SEWER –

PWS Nasalroad reviewed the issues with the Park Lift Station over the Memorial Day weekend. There was a malfunction in the panel which kept creating intermittent operation. PWS Nasalroad is looking in to the possibility of a SCADA system which would alert the Public Works phones if the alarm goes off on a lift station. Right now we depend on patrons reporting the flashing light over the weekend after the on-call individual returns home.

PUBLIC SAFETY – NONE

EMPLOYEE RELATIONS & TRAINING-NONE

CEMETERY -NONE

COMMUNITY BUILDING-NONE

PARK-

Sign for the Community Park: Council Member Capp moved to the patron side of the meeting room to present a drawing of a sign for the La Cygne Community Park. Lincoln Township proposed purchasing a sign for the park. Lincoln Township requested a design and quote from TC Iron Design. The sign would be approximately 5 ft. Tall and 10' Wide. The Mayor inquired about the name on the sign which has "La Cygne City Park" and reminded Tommy Capp the name of the park had been established as the La Cygne Community Park when Lincoln Township and La Cygne joined together on the operation of the park. Tommy Capp informed the Mayor the design was approved by the Lincoln Township Board. Council Member Mitzner inquired about the zoning regulations for Public Zones and asked if the regulations had been reviewed on the size of the sign and location.

❖ **Motion**

Council Member Mitzner motioned to approve the design, waive the building permit fees and to make sure the sign meets the zoning regulations prior to installation. Motion seconded by Council Member Stoker, voted on, passed 4-0. Abstain: Council Member Capp

Baseball Field Improvements: Council Member Capp advised the Council on improvements to the Baseball field located in the La Cygne Community Park. Volunteers have offered to replace the infield, taking off 300 ton of product and replacing it with 300 ton. Also suggested moving the entrance gate to the field to the West side near 1st Street so trucks would not have to drive across the soccer fields to access the baseball field. The work would be performed in August 2023.

Frankie Elder/Grady's Kids, via email, submitted a request to waive the fee for the enclosed shelter to be utilized for the Grady's Kids silent auction during the Blast in the Park event. Discussion was held on payment of the refundable deposit.

❖ **Motion**

Council Member Stoker motioned to waive the fee for the enclosed shelter but require the refundable deposit for the silent auction to be hosted by Grady's Kids at the Blast in the Park event on July 8, 2023. Motion seconded by Council Member Mitzner, voted on, passed 5-0.

La Cygne Campground Information. Deputy City Clerk Vogt worked on updating the rates and regulations for the La Cygne Community Park Campground. CC Wade reviewed the modification of the rate from \$17/day to \$19/day for all camping. Deputy City Clerk Vogt also added the check-in (1:pm – 3:30pm) and check-out (11:00am) times for the park. Council Member Brenneman inquired about campers who wanted to pull in on a Saturday or Sunday. Council Member Stoker stated the slots would be available by reservation which would need to be made prior to the weekend.

❖ **Motion**

Council Member Capp motioned to approve the La Cygne Camp Ground Information as presented. Motion seconded by Council Member Stoker, voted on, passed 5-0.

La Cygne Concession Stand and Field Use Contract. Deputy City Clerk Vogt worked on creating and updating a contract for use of the ballfield and concession stand in the park. This was an item on the Park Board agenda prior to being dissolved.

❖ **Motion**

Council Member Capp motioned to approve the La Cygne Concession Stand and Field Use Contract as presented. Motion seconded by Council Member Mitzner, voted on, passed 5-0.

SPECIAL COMMITTEE REPORTS:

EMERGENCY MANAGEMENT: NONE

CHAMBER OF COMMERCE – NONE

PLANNING & ZONING COMMISSION (PZC)-

IBTS is preparing the final draft of the Comprehensive Plan for approval by the Commission and Council.

OTHER BUSINESS:

a) **Chapter 6., Article 2. Fireworks for review.**

Discussion was held on some of the items in this Article. Fire Chief Nasalroad brought up some references to statutes which should be included. City Attorney Harding had some concerns regarding the wording of some of the sections. CC Wade will work on a draft for the council to review at a future meeting.

OTHER BUSINESS CONTINUED:

b] **Personnel Policies and Guidelines – Article G. Discipline**

In section G-1 modify "supervising committee" to supervisors. In section G-2 only maintain the sentence which reads "When an employee does not exercise adequate self-discipline or is not successful in meeting the requirements of their job, it may be necessary for his or her Department Head or Supervisor to consider disciplinary actions to correct the problem". Remove section G-3(d). Modify G-4 "other than a verbal warning or reprimand". Modify the second sentence in G-4(c) to read "A meeting should be private and include the employee, supervisor, Mayor and/or one other person". Modify G-4(f) by adding "except for verbal warnings and reprimands." Modify G-4(g) by adding, "unless the employee refuses to sign". Add "or without pay" to the last paragraph of G-4.

c] Chapter 11. Public Property, Article 2. Parks and Camping. The Council began discussion on this Article which has some contradicting sections. CC Wade will work on a draft for the council to review at a future meeting.

d] 1st Council meeting in July is on July 5th. Does the governing body want to maintain the date for the meeting or do you want to change the meeting date. Everyone indicated they would be available for the meeting.

E] Article 18 Final Draft. CC Wade gave the governing body the final draft of Article 18 to review prior to being put in to ordinance form for approval.

UNFINISHED POLICY REVIEW:

ARTICLE 22 DRAFT OFF-STREET PARKING REGULATIONS

WATER AND SEWER RATE ANALYSIS

ARTICLE 5. PARKING

ATV/UTV REGULATIONS

ETHICS AND CUSTOMER SERVICE TRAINING

SOCIAL-MEDIA POLICY

BNSF QUIET ZONE

NOTES AND COMMUNICATIONS TO COUNCIL:

NONE

ADJOURNMENT:

❖ **Motion**

Council Member Capp moved to adjourn the meeting. Motion seconded by Council Member Stoker, voted on, passed 5-0. Time 8:50p.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 7th day of June 2023.