

REGULAR MEETING:

The La Cygne City Council met on Wednesday, August 18, 2021 at the La Cygne Community Building. Council Members present were: Thomas Capp; Danny Curtis; and Jerome Mitzner. Absent: James Thies and Keith Stoker.

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 Breneman and Glen Harbinson.

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

Pledge of Allegiance – Mayor Debra Wilson

MAYOR COMMENTS:

Mayor Wilson reminded everyone that school starts tomorrow, August 19, 2021. Patrons need to be aware of kids travelling to school. Also, the area wide garage sales sponsored by the Chamber of Commerce will be September 4th and 5th.

CONSENT AGENDA:

❖ Motion to approve Consent Agenda:

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

Minutes of August 4, 2021 City Council Meeting;
July 2021 Treasurer's Report;
July 2021 Budget Report;
Check Register: August 5 – August 18, 2021;

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

DISCUSSION FROM THE FLOOR:

✓ NONE

SPECIAL PROJECTS:

WATER PLANT SETTLING POND PROJECT (MIDWEST ENGINEER GROUP)

No update at this time

SEWER REHABILITATION PROJECT (BG CONSULTANTS)

BG Consultants' crew has been in town checking the locations where sewer main will be replaced during the upcoming sewer project.

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 is reviewing the First Option Bank Trusteed Foundations Application Guidelines. CC Wade is also reviewing guidelines under the Public Building Commission and is researching confirmation if the Public Safety Building could be handled by the Public Building Commission.

REPORTS OF CITY OFFICERS:

CITY ATTORNEY –BURTON HARDING

- Working on the determination of descent for 602 N. 5th Street.

CHIEF OF POLICE – TINA FENOUGHTY

5 Traffic Stops Conducted

Citations issued since last meeting

Exhibition of Acceleration	0	Tag Expired.	1
Fail to Yield	0	Turn Signal	0
Insurance	2	TOC	0
RR Crossing	0	Speed	0
Vicious Dog/RAL	6	Pass on Right	0
Drive Violation of Rest.	0	Endorsement	0

Calls for Service / Reports – 08/03/2021 thru 08/16/2021

Animal Complaint – 7	Traffic Complaints - 3
Assist Outside Agency – 1	Vehicle Lockout - 2
Building Check – 1	Citizen Assist CFS / contact - 15
Fingerprints – 2	Juvenile Incident – 1
Check Welfare – 0	911 Hang up- 1
Follow Up – 17	Theft - 3
Suspicious Activity – 2	Criminal Threat – 1
Aggravated Assault – 1	Stolen Vehicle - 2
Domestic / Battery – 0	Criminal Damage – 1
Burglary –1	Verbal Disturbance – 1
Trespass – 1	Recovered Property – 0
Felony Warrant – 0	Misdemeanor Warrant - 0

Codes - 3 Letters sent out, 6 Work Orders

VIN Inspections - 0 completed

New Business

School crossing lights have been programmed and are functioning.

Noise Complaint/Concern: Chief Fenoughty had received a noise complaint in the 500 Block area of Grand Avenue. The house in that area is located in the county, but surrounded by City on three (3) sides. The property is connected to City utilities and receives City services. As a property in the county the rules and regulations are different from the City. The Chief will research regulations with the County concerning property which borders the City limits. The City should also consider cleaning up the edge/border of the city limits on a few properties which are bordered by the city limit

REPORTS OF CITY OFFICERS CONTINUED:

CHIEF OF POLICE – TINA FENOUGHTY

on at least 2 – 3 sides of the property.

Council Member Capp asked how Officer Fox was doing at academy. Chief Fenoughty reported she was doing great and was in the 7th week of academy.

Council Member Mitzner asked if the two (2) new part-time officers were ready to go. Chief Fenoughty said they would both be qualified and ready by the end of next week. Chief Fenoughty was waiting on uniform shirts and some equipment to be received for the officers in order for them to start.

CODES ENFORCMENT – ALLISON FOX

Officer Fox is attending KLETC academy.

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

Report from 8/05/2021 to 8/18/2021

- The new service trucks have all been picked up. PWS Nasalroad thanked Council Member Capp for assisting him with getting the vehicles down to La Cygne.
- The PWS crew has been working on getting the mowing all completed and doing locates for the upcoming sewer project.

EXECUTIVE SESSION:

❖ **Motion**

Council Member Capp 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 Mitzner 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:

EXECUTIVE SESSION:

❖ **Motion**

Council Member Mitzner 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 7:33pm. Motion seconded by Council Member Capp voted on, passed 3-0. 7:23pm

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

OPEN SESSION RESUMED AT 7:33pm:

REPORTS OF CITY OFFICERS CONTINUED:

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

EXECUTIVE SESSION:

❖ **Motion**

Council Member Capp motioned to go in to executive session for 5-minutes for the discussion and review of data relating to trade secrets and will return to the Council table at 7:39pm. Motion seconded by Council Member Mitzner voted on, passed 3-0. 7:34pm

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

OPEN SESSION RESUMED AT 7:39pm:

FIRE DEPARTMENT – FIRE CHIEF DAN NASALROAD

- Truck inspections have been conducted. Few minor repairs.
- Reminded everyone to be aware of kids walking and riding bikes to school. Pay attention to crosswalks and school zones.

REPORTS OF CITY OFFICERS CONTINUED:

CITY CLERK – JODI WADE

Report from 8/5/2021 – 8/18/2021

- Completed hiring packets for two (2) part-time police officers;
- Participated in gWorks council reporting virtual training;
- Attended Planning & Zoning meeting;
- Attended the Chamber of Commerce meeting;
- Attended MRWAD virtual meeting;
- Reviewed First Option Bank Trustee Foundation grant application;
- Researched plat records for 2nd Street and Railroad;
- Prepared draft job descriptions for part-time and permanent part-time employee;
- Prepared budget costs for all employees;
- Completed two (2) building permits;
- Reviewed City Code book regarding assessment of costs to collect debts owed to the City;
- Prepared documents for Planning & Zoning public hearing for rezoning;
- Attended meeting of the Planning Commission Chairman, Mayor and IBTS representatives;

Overtime Hours for City Hall for the last pay period: 2.5 hours Jodi.

COUNCIL COMMITTEE REPORTS:

WATER & GAS -

- None

STREET -

- Council Member Capp and Council Member Mitzner, stormwater committee, will review and create a draft RFP for stormwater surveying.

COUNCIL COMMITTEE REPORTS:

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. Doris McElreath, cemetery board member, stated the members reviewed the article draft and did not have any further comments or revisions to add. They were satisfied with what they reviewed. Council members will review the draft at another meeting.
- PWS Nasalroad has a bid from Carl's Tree Service to remove a couple of trees in the cemetery for \$1,800.

PUBLIC SAFETY –NONE

COMMUNITY BUILDING-NONE

EMPLOYEE RELATIONS & TRAINING –

- A copy of the draft Governing Handbook has been given to all council members. Mayor Wilson asked the Council to read the handbook and be prepared to discuss and make final recommendations. The Council chose to set up a workshop for Tuesday, August 24 at 6:00pm to review the handbook.

❖ **Motion**

Council Member Capp motioned for a Council Workshop on Tuesday, August 24 at 6:00pm to review the draft of the Governing Handbook. Motion seconded by Council Member Curtis voted on, passed 3-0.

SPECIAL COMMITTEE REPORTS:

EMERGENCY MANAGEMENT -NONE

SWANFEST COMMITTEE –NONE

PLANNING & ZONING COMMISSION (PZC) -

Unapproved minutes from the August 12, 2021 meeting were reviewed.

LA CYGNE COMMUNITY PARK BOARD –NONE

UNFINISHED BUSINESS:

- None

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). (White pages 18)~~

MEETING BETWEEN IBTS, MAYOR WILSON, BOB BURNETT (PLANNING & ZONING CHAIRMAN) AND CC WADE

CC Wade reviewed the conversation the Planning Commission (P&Z) had regarding the start of the project to revise the Comprehensive Plan and Zoning Regulations. IBTS can start immediately. CC Wade informed the P&Z of the schedule of the capital improvement projects for the city. The expected time frame for the revision project is 8 months. The P&Z felt this fall and winter would be a good time to get with community members in smaller groups and then have a larger town hall meeting in January/February. The Council asked CC Wade to request a contract agreement to be prepared to start services with IBTS.

RECESS:

❖ **Motion**

Council Member Mitzner motioned to take a 2-minute recess and to return to the Council table at 8:04pm. Motion seconded by Council Member Capp voted on, passed 3-0. 8:02pm

EXECUTIVE SESSION:

❖ **Motion**

Council Member Curtis motioned to go in to executive session for 15-minutes for non-elected personnel matter for an individual employee's performance and will return to the Council table at 8:21pm. Motion seconded by Council Member Capp voted on, passed 3-0. 8:06pm

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

OPEN SESSION RESUMED AT 8:21pm:

OTHER BUSINESS:

LETTER OF INTEREST FROM JENN VOGT FOR THE VACANT SEAT ON THE LA CYGNE COMMUNITY PARK BOARD

Mayor Wilson shared the letter of interest of Jenn Vogt. The city has posted the vacancy for the past 2 months and only received one letter of interest. Mayor Wilson recommended to appoint Jen Vogt to the vacant seat on the La Cygne Community Park Board.

❖ **Motion**

Council Member Mitzner motioned to approve the recommendation from Mayor Wilson to appoint Jenn Vogt to the La Cygne Community Park Board. Motion seconded by Council Member Capp voted on, passed 3-0.

NOTES AND COMMUNICATIONS TO COUNCIL:

CC Wade reminded the Council about the public hearing for the RNR and next year's budget on August 25, 2021 starting at 7:00pm and 8:00pm respectively.

GOVERNING BODY REMARKS:

None

ADJOURNMENT:

❖ ***Motion***

Council Member Capp moved to adjourn the meeting. Motion seconded by Council Member Curtis, 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 18th day of August, 2021.