

Record of the Proceedings of the Governing Body

REGULAR MEETING

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APRIL 15, 2026

REGULAR MEETING:

The La Cygne City Council met on Wednesday, April 15, 2026, at the La Cygne Community Building. Council Members present: Robert Sullivan; Jerome Mitzner; Ed Smith; and Oscar Marino, Kent Wade.

Others in attendance included but not limited to: City Clerk (CC) Jodi Wade; Police Chief Zachary Mathies; Public Works Director (PWD) Dan Nasalroad; City Attorney Jeff Deane; Linn County Journal, Roger Sims; David Muncy; La Cygne Pool Coordinator, Angie Goodwin; and Emil Wilson.

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

Pledge of Allegiance by Mayor Debra Wilson

PROCLAMATION – APRIL 2026 CHILD ABUSE PREVENTION MONTH:

Mayor Debra Wilson read and signed the Proclamation declaring April 2026 as Child Abuse Prevention Month.

MAYOR COMMENTS:

- a. City-Wide Garage Sales, May 1-3, 2026
- b. City-Wide Clean Up Day, May 9, 2026

CONSENT AGENDA:

❖ Motion to approve Consent Agenda:

Council Member Smith motioned to accept the Consent Agenda.

Minutes of the April 1, 2026 Council Meeting;
Check Register up to: April 12, 2026;

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

DISCUSSION FROM THE FLOOR:

David Muncy, previous owner of 116 N 1st Street, addressed the council regarding the removal of the shed and carport and an extension of time to move out of the residence, which was purchased by the City of La Cygne on March 18, 2026. Discussion was held regarding a letter sent by the City Attorney advising David Muncy to not remove the carport. PWD Nasalroad indicated he spoke with the realtor and David Muncy regarding the shed and carport and it was verbally agreed that David Muncy could take the shed and the carport. The City Attorney Deane prepared a letter indicating the agreement to allow David Muncy to take/sell the shed and carport. David Muncy requested to take the outside flowers as well, the council concurred he could take the flowers.

In regards to the extension of time to move out, the council and City Attorney Deane discussed the liability concerns. Mayor Wilson asked David Muncy if he had already been provided an extension. CC Wade reviewed the documents to confirm a letter dated February 25, 2026 had been provided to David Muncy providing a 30-day extension from the closing date of March 18, 2026 for David Muncy

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to get moved out of the property located at 116 N. 1st Street. Mayor Wilson asked each Council Member to speak regarding allowing an extension. Council Member Wade asked the City Attorney Dean if there was any way to protect both parties regarding liability. City Attorney Deane indicated he did not have an alternative that would allow him to feel comfortable in the defense for the city. The council concurred to not extend the time for David Muncy to vacate the property. Mayor Wilson confirmed with David Muncy the council would not extend beyond the date of April 18, 2026 for them to be out of the house and he was to have everything, including the carport, moved out of the property.

REPORTS OF CITY OFFICERS:

POOL COORDINATOR(PC) – ANGIE GOODWIN

Pool Coordinator(PC) Angie Goodwin reviewed the 2026 Pool Brochure. PC Goodwin and Pool Manager Donna Krum held a meeting with the nine (9) hired Lifeguards. PC Goodwin presented the La Cygne Simming Pool Standard Operation Guidelines (SOG) which contains all operation, maintenance and safety procedures. She explained the process for reviewing the SOG during the Manager trainings and Lifeguard trainings. Council Member Mitzner asked if the manual would be in an accessible area at the pool. PC Goodwin said each employee received a copy and the manual would be accessible at the pool. City Attorney Deane suggested a resolution by the governing body to confirm acceptance of the SOG when it is reviewed and updated.

POLICE CHIEF ZACHARY MATHIES

Chief Mathies presented his monthly report: Traffic Stops (234), Calls for Service (208), District and Building Checks (795), Reports (48), Citations (26).

From March 31 – April 15, 2026 : (1) Information Reports; (0) Alcohol Offenses; (0) Traffic Misd. Offenses; (32) Traffic Warnings; (5) Criminal Offense Reports; (42) Calls for Service; (0) Accident Report; (0) Drug Offense; (0) Warrant Arrests; (5) Traffic Citations; (0) Animal Citations; (48 Total)UTV Registration.

Chief Mathies reported on two (2) canines impounded, previously deemed dangerous. Working with keeper and court to determine next steps.

Council Member Wade inquired about the "Jake Brake" signs. Chief Mathies reported the signs have been installed. Council Member Wade also asked about lowering the speed on Quarry Road prior to Grand Avenue to slow down the heavy, larger loaded trucks which can create the "wavy" effects on roads due to their "bouncing" weight. Chief Mathies had contacted Linn County Road and Bridge about the speed limit, the county suggested a traffic study be performed. Chief Mathies will reach back out to the county.

Chief Mathies provided an update from attending the Linn County Commissioners meeting on April 13, 2026 regarding the Industrial Park lots and roads. A resolution was passed to have the lots appraised and listed for sale publicly. Chief Mathies indicated there was some confusion regarding the areas of the roads which needed addressed. Chief Mathies will continue discussion with the county Public Works and Linn County Commission.

Demolition of 602 E. Market Street started but was ordered to stop by the State of Kansas for asbestos concerns.

Demolition Permit was issued for 606 E. Locust Street, single wide trailer.

REPORTS OF CITY OFFICERS CONTINUED:

POLICE CHIEF ZACHARY MATHIES

EXECUTIVE SESSION:

❖ **Motion**

Council Member Mitzner motioned for an executive discussion for 25-minutes for consultation with an attorney for the city which would be deemed privileged in an attorney-client relationship and to return to the council table at 8:02pm. Motion seconded by Council Member Smith, voted on, passed 5-0. 7:37pm

Others in attendance: CC Wade, Police Chief Mathies and City Attorney Deane.

OPEN SESSION RESUMED AT 7:37pm:

Chief Mathies (PZ Administrator/Public Health Officer) presented a petition for Unsafe Structure for 825 N. 7th Street Court. On April 14, 2026, at approximately 1545 hours, Chief Mathies, in capacity of Police, was notified of a residential structure fire at 825 N. 7th Street Court, Apartment A, La Cygne, Kansas. This incident marks the third fire at this residence within the past year. The previous two fires occurred on September 2, 2025, and were determined to have been caused by cigarette usage and improper disposal.

On April 15, 2026, at approximately 0955 hours, Fire Chief Nasalroad and Public Health Officer (PHO), Zachary Mathies conducted a preliminary assessment of the structure and its systems. PHO Mathies presented multiple electrical deficiencies throughout the residence, structural deficiencies with the trusses, and four basement rooms being utilized as bedrooms despite lacking any windows or compliant emergency egress. Photographs on the interior conditions were provided for the governing body to review and were also provided to a licensed contractor for review.

Pursuant to Chapter 4, Article 2 of the Code of the City of La Cygne, Public Health Officer Mathies petitioned the Governing Body to adopt a resolution fixing the time and place at which the property owner, the owner's agent, and any lienholders' of record, and any occupants may appear and show cause why the structure should not be condemned and ordered repaired or demolished.

Further, the Public Health Officer Mathies believes the structure is of condition which constitutes an immediate hazard, petitioning for the residence to remain vacated, until such evaluations and repairs can be determined and made.

RESOLUTION NO. REGARDING A PUBLIC HEARING ON THE CONDEMNATION OF PROPERTY LOCATED AT 825 N. 7TH STREET COURT, UNIT A, LA CYGNE, KANSAS.

❖ **Motion**

Council Member Mitzner motioned to approve Resolution No. 488 to be published once a week for two consecutive weeks regarding a Public Hearing to be held on June 3, 2026 at the La Cygne Community Building at 7:00pm for the condemnation of property located at 825 N. 7th Street Court, Unit A, La Cygne, Kansas. Motion seconded by Council Member Smith, voted on, passed 5-0.

REPORTS OF CITY OFFICERS CONTINUED:

POLICE CHIEF ZACHARY MATHIES

❖ **Motion**

Council Member Wade motioned to declare both Unit A and Unit B of 825 N. 7th Street Court, La Cygne, Kansas as an immediate hazard under Chapter 4, Article 2, Section 4-212 and direct the Public Health Officer to erect barricades and cause the property to be vacated and made safe without delay. Motion seconded by Council Member Marino, voted on, passed 5-0.

PUBLIC WORKS DIRECTOR – DAN NASALROAD

PWD Nasalroad followed up on the stormwater improvements at the intersection of Broadway St/Chestnut Street and 4th Street/Walnut. BG Consultants is putting together specifications and costs to improve the stormwater ditches.

PWD Nasalroad also presented a concern from the property owner of 515 N. 7th Street regarding culvert pipes underneath 7th street being plugged and the natural creek way located to the east of his home. The property owner had inquired who was responsible for maintaining the ditch or creek way. City Attorney Deane provided a blanket statement regarding private properties with natural waterways, referencing the city regulation to not obstruct the flow of water. City Attorney Deane pointed out that multiple properties in the community have natural waterways and buyers should note when purchasing property, the responsibility pertaining to maintaining the natural waterway to ensure the flow of water as defined in regulations.

PWD Nasalroad reviewed 8th Street located between Grand View Avenue and Lincoln Street. PWD Nasalroad has used the Harley rake a few times on the gravel road for improvements. PWD Nasalroad advised the governing body of completing the roadway which does not currently go all the way from Grand View Avenue to Lincoln Street.

PWD Nasalroad ordered more road patch and other products for road repair. PWD Nasalroad held discussion on the Asphalt Zipper machine which utilizes a similar concept of the Harley rake to break up the asphalt surface in to a reusable material that is incorporated in to the base and compacted to add structure, then a new asphalt or chip/seal surface can be applied. PWD Nasalroad estimated the cost of the machine to be in the range of \$30,000 - \$40,000.

FIRE CHIEF – DAN NASALROAD

Fire Chief Nasalroad recognized and congratulated Fireman Tristan VanVlack on completing his NFF1 certification through the University of Kansas.

Fire Chief Nasalroad reviewed the City of La Cygne Police/Fire storm watch process. He indicated the storm watchers can contact Linn County Dispatch to set off the sirens and some vehicles do have the capability to set the sirens off when the City of La Cygne is in the path of a tornado. He also indicated Linn County Emergency Management is also out monitoring everything as well.

Fire Chief Nasalroad also reported on the structure fire located at 825 N. 7th St Court and thanked La Cygne Police Department, AMR, Linn Valley Fire Department, Linn County Dept 905 and others for providing services.

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REPORTS OF CITY OFFICERS CONTINUED:

PUBLIC WORKS DIRECTOR – DAN NASALROAD

EXECUTIVE SESSION:

❖ Motion

Council Member Mitzner motioned for an executive discussion for 10-minutes for consultation with an attorney for the city which would be deemed privileged in an attorney-client relationship and to return to the council table at 9:11pm. Motion seconded by Council Member Smith, voted on, passed 5-0. 9:01pm

Others in attendance: CC Wade, PWD Nasalroad and City Attorney Deane.

OPEN SESSION RESUMED AT 9:11pm:

CITY CLERK – JODI WADE

CC Wade reported on progress with the financial software programs, the annual KCC Gas Inspection, and preparations for the upcoming 2025 Financial Audit.

RESOLUTION NO. ENABLING FEES ESTABLISHED BY THE CITY AND REFERENCED WITHIN THE CODE OF THE CITY OF LA CYGNE, KANSAS

❖ Motion

Council Member Mitzner motioned to approve Resolution No. 489 as presented enabling fees established by the city and referenced within the Code of the City of La Cygne, Kansas and with the modification of pricing for 5-402(3) to read \$10 for Day to Day Basis and \$150 for Monthly Basis for Mobile Food Truck Permits. Motion seconded by Council Member Marino, voted on, passed 5-0.

SPECIAL PROJECTS:

STORMWATER MASTER PLAN/STREET IMPROVEMENT MASTER PLAN

CC Wade provided an agenda containing Discussion Point topics for future conversations, workshops and meetings pertaining to the street improvement project. CC Wade indicated this is a moving document for things to be added. CC Wade was hopeful this would help provide focus and prioritize conversations held by the governing body. Council Member Mitzner asked CC Wade to add conversations with the Linn County Commissioners under "Review of Financial Funding" for streets which are interconnects with the county.

SEWER REHABILITATION PROJECT – SEWER LIFT STATION BIDS (BG CONSULTANTS)

Contract documents are being prepared for review and signature. A pre-construction meeting will then be scheduled with SM5 Electric, LLC.

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SPECIAL PROJECTS CONTINUED:

WATER TREATMENT PLANT IMPROVEMENTS:

Dan Coltrane, MW Engineering, visited the water plant on Friday, April 3. He reviewed the properties the city is in the process of purchasing. Dan Coltrane will update the specifications for Phase 3 and prioritize the potential use of the property options for the clearwell.

CITY FACILITY IMPROVEMENT (CITY HALL, POLICE DEPARTMENT, COMMUNITY BUILDING)

CC Wade will continue to research funding possibilities.

CITY OF LINN VALLEY WATER CONNECTION

At the recent project progress meeting, the City of Linn Valley indicated the POA Water Delivery Trucks will begin pulling water from the new water salesman on Monday, April 13. If the water salesman has no issues upon operation by the POA, the City of Linn Valley will allow the patrons within the gates of Linn Valley to begin using the water salesman on around April 23.

REPORT OF COUNCIL LIAISONS:

- a] **Utilities Liaisons:** Council Member Mitzner asked if there was Gas Utility service at the structure fire location of 825 N. 7th Street Court and inquired about the water service. Chief Mathies stated there was not Gas Utility service at the location and the water meter had been turned off.
- b] **Street Liaisons:** None
- c] **City Facility Liaisons:** None
- d] **Public Safety Committee:** None
- e] **Employee Relations and Training:** None

SPECIAL COMMITTEE REPORTS:

EMERGENCY MANAGEMENT: None

PLANNING & ZONING COMMISSION (PZC): None

UNFINISHED BUSINESS:

CAMPING REGULATIONS

Council will need to determine the policy pertaining to alcohol in the park to finalize this ordinance.

U.S. MINERALS DUST CONCERNS MEETING WITH COUNCIL AND CITY ATTORNEY

City Attorney Deane and Mayor Wilson will meet with U.S. Minerals next week.

PARK AND POOL REGULATION DRAFT

Council will need to determine the policy pertaining to alcohol within the park to complete parts of this Article.

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NEW BUSINESS:

BUDGET WORKSHOP

❖ **Motion**

Council Member Mitzner motioned for a Budget Workshop to be held on May 13, 2026 at 6:00pm at the La Cygne Community Building. Motion seconded by Council Member Smith, voted on, passed 5-0.

UNFINISHED POLICY REVIEW

DRAFT COMPANY VEHICLE USE POLICY

CHAPTER 5. BUSINESS REGULATIONS, ARTICLE 1. SOLICITORS, CANVASSERS, PEDDLERS

CHAPTER 3. BEVERAGES, ARTICLE 2 CEREAL MALT BEVERAGE AND ARTICLE 3. ALCOHOLIC LIQUOR

RENTAL READY PROGRAM (LANDLORD REGISTRATION)

ARTICLE 22: OFF STREET PARKING

NEW POLICY REVIEW:

ARTICLE 5. PARKING

SOCIAL-MEDIA POLICY

GOVERNING BODY REMARKS:

Council Member Mitzner advised the Governing Body that the Fire Departments and other emergency organizations have been informed about the structural and electrical hazards at 825 N. 7th Street Court Unit A and B in case another emergency arises and they are called on scene.

Council Member Wade discussed the purchase of the vehicle at the last council meeting and asked if council members could be provided information at least 48 hours prior to a meeting to have time to review the purchase order and do research if necessary. Mayor Wilson stated the purpose for having staff present items on written Purchase Orders was a means to build a process. She asked the staff if there would be any concerns with preparing Purchase Orders in a timely manner to be put in the agenda packets for council members to review prior to a meeting. The staff expressed no concerns with meeting the expectation provided.

NOTES AND COMMUNICATION: None

ADJOURNMENT:

❖ **Motion**

Council Member Smith motioned to adjourn the meeting. Motion seconded by Council Member Marino, voted on, passed. 5-0. 9:32p.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 15th day of April 2026.