

Record of the Proceedings of the Governing Body

REGULAR MEETING

Page 1 of 7 Pages

April 17, 2024

REGULAR MEETING:

The La Cygne City Council met on Wednesday, April 17, 2024 at the La Cygne Community Building. Council Members present were: Thomas Capp; Keith Stoker; Ed Smith; and Jerome Mitzner; David Brenneman.

Others in attendance included, but not limited to: City Attorney Burton Harding; City Clerk (CC) Jodi Wade; Public Works Superintendent Dan Nasalroad; Interim Officer Ferrell; Linn County Newspaper, Tony Furse; Linn County Journal Roger Simms; Emil Wilson; Lauber Municipal Law Jeff Deane; Andrea Kincaid; Craig Bradley; "If I Were Mayor" Contestant Winners and families.

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

Pledge of Allegiance – Mayor Debra Wilson

MAYOR COMMENTS:

- a] "If I Were Mayor" Poster Contest winners were recognized and presented with a Certificate and Reyo's gift card. Winners were Chandler Dunbar, Kylee Tynes, Anderson Correll, and Delia Kelly.
- b] City Wide Garage Sales, May 3-5, 2024. Citizens hosting a garage sale may contact the city hall to place your address on the Garage Sale List.
- c] City Wide Clean-up Day, May 11 2024
- d] La Cygne First Station Grand Opening will be held on May 4, 2024 from 11am – 3pm. Hotdog/hamburger meal provided. Ribbon cutting will be held at Noon.
- e] Basketball Tournament, sponsored by Reyo's will be held at the La Cygne Community Park Basketball court on May 5, 2024. Stop by Reyo's to sign up.
- f] Lead and Copper inventory completion. The time has come to get all results for all parcels within the City of La Cygne. The portal for submission has opened. Citizens need to contact the city hall to complete the survey. Public Works will begin going door-to-door to get the necessary information.
- g] City dog tags will expire on April 30, 2024. Be sure to contact the city hall to update your tag.

PUBLIC HEARING FOR ABATEMENT OF BLIGHTED PREMISES:

Mayor Wilson closed the regular meeting at 7:05pm and opened the public hearing.

825 N 7TH STREET COURT UNITS A & B (SWEET PRAIRIE ESTATES, LOT 1, SECTION 33, TOWNSHIP 19, RANGE 24)

Mayor Wilson reviewed the timeline of events since the structure fire on October 9, 2023. A power point presentation put together by Codes Officer Devin Canada was presented. Craig Bradley stated on Unit B the electric rough in was inspected by Mr. Electric and is ready for the meter to be put back in so the final wiring can be completed. On Unit A, Craig was hoping to complete the rough-

Record of the Proceedings of the Governing Body

REGULAR MEETING

Page 2 of 7 Pages

April 17, 2024

PUBLIC HEARING FOR ABATEMENT OF BLIGHTED PREMISES CONTINUED:

825 N 7TH STREET COURT UNITS A & B (SWEET PRAIRIE ESTATES, LOT 1, SECTION 33, TOWNSHIP 19, RANGE 24

in so Mr. Electric could inspect it this week and they would then be ready for the meter to be put back in for Unit A. The roof and the framing are complete for the second floor. The wiring needs to be completed, drywall installed and siding. Fire Chief Nasalroad will perform a walk-thru on Monday, April 22, 2204 to review the electric work performed. Andrea Kincaid asked about a building permit for phase 3 which included the installation of egress windows in the basement. CC Wade advised her she would need a new building permit for the basement work. The current building permit was for the roof, siding, and second story.

The Council advised Andrea Kincaid and Craig Bradley to continue moving forward with the work on the house and to submit a progress report at the May 15, 2024 Council Meeting. The Council asked about them still living in the RVs on the premise. Craig stated as soon as the meters are put in and the placard removed, their family will move back in to the house and the RVs will then be removed.

❖ Motion

Council Member Capp motioned to continue the hearing for abatement to the May 15, 2024 council meeting to report progress on the home. Motion seconded by Council Member Mitzner, voted on, passed 5-0.

112 S. 7TH STREET (FIRST ADDITION LA CYGNE, BLOCK 61, LOT 5-6, SECTION 04, TOWNSHIP 20, RANGE 24)

CC Wade presented a power point presentation put together by Codes Officer Canada outlining the timeline of events. Discussion was held on the liability on the city if the home is condemned but not demolished. City Attorney advised boarding up the doors and windows on the lower level and garage and posting signs the property has been condemned as necessary measures on the city's behalf. Council Member Capp asked for the budget amount in 2024 for demolition, CC Wade stated \$10,000. City Attorney Harding stated the council has taken all action as required by the city codes to inform the owner. The owner has signed for all certified letters sent but has taken no action, did not show up for the hearing and has not been in contact with the city since December 2023. The parcel report indicates the house was built in 1955, the detached garage is 1794 sq. ft., and the house sits on a 645 sq. ft. basement.

❖ Motion

Council Member Mitzner motioned to proceed with condemnation on the blighted house and accessory buildings located at 112 S. 7th Street based on the finding of facts as presented. Motion seconded by Council Member Capp, voted on, passed 5-0.

PUBLIC HEARING FOR ABATEMENT OF BLIGHTED PREMISES CLOSED:

Mayor Wilson closed the hearing at 7:51pm and opened the regular council meeting.

Record of the Proceedings of the Governing Body

REGULAR MEETING

Page 3 of 7 Pages

April 17, 2024

CONSENT AGENDA:

❖ Motion to approve Consent Agenda:

Council Member Capp motioned to accept the Consent Agenda.

Minutes of the April 3, 2024 Council Meeting;
March 2024 Budget Report;
March 2024 Treasurer's Report;
Check Register: March 29, 2024 – April 12, 2024.

Motion seconded by Council Member Stoker, voted on, passed 4-0 (1 Abstain – Council Member Brenneman due to not being present at the meeting).

DISCUSSION FROM THE FLOOR:

Jeff Deane of Lauber Municipal Law had submitted a request for proposal for legal services for the City of La Cygne. Jeff introduced himself to the Council and shared some background information about his firm. Municipal law is their main practice. There are a total of 15 attorneys located at three (3) different offices. The council inquired about the use of zoom for meetings and Jeff stated his firm supports using Zoom to help reduce the travel expense but he did state they would not zoom for court. Council Member Mitzner inquired about their travel expense fee. Jeff stated there is a nonbillable credit for the 1st hour of travel to La Cygne.

REPORTS OF CITY OFFICERS:

OFFICER ACHILLES FERRELL

Officer Ferrell presented the report for the period of April 4, 2024 through April 17, 2024 on behalf of Interim Chief Haley. Council Member Brenneman asked if the animal calls had been primarily for dogs. Officer Ferrell stated they had all been for dogs. Council Member Smith inquired about the "assist outside agency". Officer Ferrell stated that was for assisting Linn Valley Lakes.

PUBLIC WORK SUPERINTENDENT – DAN NASALROAD

Streets:

- Started patching potholes
- Contacted the County on the Industrial Roads
- Equipment has been listed on Purple Wave and the auction runs until April 30th.

Sewer:

- Still waiting on information on lagoons. Update: We did receive a quote from Reed Environmental in the amount of \$412,400. This is the revised quote since the sludge can't be land applied.

Water:

- North tower rehab is completed and back in service.
- Attended KRWA Conference and learned a few things.
- Still working on the Lead and Copper Survey. If you have not completed one please do!
- Cleaned out the old station on the north side of the Water Plant in preparation for the new carbon feeder.

Record of the Proceedings of the Governing Body

REGULAR MEETING

Page 4 of 7 Pages

April 17, 2024

REPORTS OF CITY OFFICERS CONTINUED:

PUBLIC WORK SUPERINTENDENT – DAN NASALROAD

Park:

- Working on plans for additional parking. PWS Nasalroad reviewed some images on the screen of locations for parking. CC Wade will review grant opportunities through the Kansas Department of Wildlife and Parks. PWS Nasalroad would like these parking areas to be paved.
- All bathrooms are open and utilities to the campground.
- Pool has been sandblasted, niches have been sealed and bowl has been painted. Waiting on some parts for the backflow preventor before we start filling.

Fire Station:

- Open house is on Saturday, May 4, 2024 from 11am until 3:00pm. Ribbon cutting will be at noon.

Cemetery:

- Mowing has started.
- Two trees need to be removed.
- New rock sign was installed. Cemetery beautification committee handled the project. Looks very nice!

CITY CLERK – JODI WADE

CC Wade advised the council the city audit was being performed this week and should be completed by Friday.

❖ **Motion**

Council Member Capp motioned to go in to executive discussion for 5-minutes for non-elected personnel matter for individual performance and to return to the council table at 8:39pm. Motion seconded by Council Member Smith voted on, passed 5-0. 8:34pm

Others in attendance: City Clerk Wade

OPEN SESSION RESUMED AT 8:39pm:

❖ **Motion**

Council Member Capp motioned to go in to executive discussion following a 3-minute recess for 10-minutes for non-elected personnel matter for individual performance and to return to the council table at 8:54pm. Motion seconded by Council Member Smith voted on, passed 5-0. 8:41pm

Others in attendance: City Clerk Wade

OPEN SESSION RESUMED AT 8:54pm:

Record of the Proceedings of the Governing Body

REGULAR MEETING

Page 5 of 7 Pages

April 17, 2024

❖ **Motion**

Council Member Capp motioned to go in to executive discussion for 10-minutes for non-elected personnel matter for individual performance and to return to the council table at 9:04pm. Motion seconded by Council Member Smith voted on, passed 5-0. 8:54pm

Others in attendance: City Clerk Wade, City Attorney Harding

OPEN SESSION RESUMED AT 9:04pm:

❖ **Motion**

Council Member Capp motioned to go in to executive discussion for 5-minutes for non-elected personnel matter for individual performance and to return to the council table at 9:09pm. Motion seconded by Council Member Smith voted on, passed 5-0. 9:04pm

Others in attendance: City Clerk Wade

OPEN SESSION RESUMED AT 9:09pm:

❖ **Motion**

Council Member Capp motioned to go in to executive discussion for 5-minutes for non-elected personnel matter for individual performance and to return to the council table at 9:17pm. Motion seconded by Council Member Smith voted on, passed 5-0. 9:12pm

Others in attendance: City Clerk Wade, City Attorney Harding

OPEN SESSION RESUMED AT 9:17pm:

SPECIAL PROJECTS:

SEWER REHABILITATION PROJECT (REED ENVIRONMENTAL/BG CONSULTANTS)

Reed Environmental revised quote in the amount of \$412,400 for the mobilization to set up Geotube & Containment for the desludging of cell 2 and 3, transportation of sludge to the landfill, landfill fee, and performance and payment bonds/liability/pollution insurance.

The Council asked if the pay application process would be utilized? Would retainage be held until the geotubes are removed from the site? CC Wade will confirm both questions with BG Consultants.

❖ **Motion**

Council Member Mitzner motioned to approve the proposal from Reed Environmental in the amount of \$412,400 for the desludging of cell 2 and 3 as presented. Motion seconded by Council Member Brenneman, voted on, passed 5-0.

KDOT CCLIP (KILLOUGH CONSTRUCTION/CFS ENG/BG CONSULTANTS)

No new updates

Record of the Proceedings of the Governing Body

REGULAR MEETING

Page 6 of 7 Pages

April 17, 2024

NEW FIRE STATION

No new updates

COUNCIL COMMITTEE REPORTS:

a] Utilities Committee: NONE

b] Street Committee: NONE

c] City Facility Committee: The committee will be meeting at the La Cygne Community park this Saturday to review the facilities.

d] Public Safety Committee: Council Member Mitzner and Council Member Capp presented an agenda outlining discussion points and possible expectations for the next La Cygne Police Chief. The council needs to review these areas, talk with their constituents about their expectations from the police department.

❖ **Motion**

Council Member Capp motioned for a council workshop on Tuesday, April 23, 2024 at 6:00pm to review the outline of discussion points regarding the La Cygne Police Department. Motion seconded by Council Member Stoker, voted on, passed 5-0.

e] Employee Relations and Training Committee: Council Member Mitzner asked the council to consider a workshop to discuss the pay scale. The council asked CC Wade to email copies of the current scale to them for reference and to prepare some matrix with different scenarios for the council to review.

SPECIAL COMMITTEE REPORTS:

EMERGENCY MANAGEMENT: Quarterly Linn County Emergency Management meeting will be held at the La Cygne Community Building April 25th 2024 at 7:00pm.

CHAMBER OF COMMERCE – Networking Evening, “Cocktails and Commerce”, May 8, 2024 at 6pm at the Wagon Wheel.

PLANNING & ZONING COMMISSION (PZC): Webinar, May 2, 2024 at 11 am. Planning and Zoning 101. Member of Planning & Zoning and the Council are welcome to attend.

UNFINISHED BUSINESS:

DRAFT ORDINANCE NO. AMENDING CHAPTER 5. BUSINESS REGULATIONS, ARTICLE 1. SOLICITORS, CANVASSERS, PEDDLERS SECTION 5-103. LICENSING PROCEDURE OF THE CODE OF THE CITY OF LA CYGNE, KANSAS.

In progress

528 N. 6TH STREET

No updates at this time.

POLICY REVIEW IN PROGRESS

STANDARD OPERATION PROCEDURE MANUAL FOR POLICE AND CITY HALL

Record of the Proceedings of the Governing Body

REGULAR MEETING

Page 7 of 7 Pages

April 17, 2024

DRAFT COMPANY VEHICLE USE POLICY

RENTAL READY PROGRAM (LANDLORD REGISTRATION)

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

NEW POLICY REVIEW:

ARTICLE 5. PARKING

SOCIAL-MEDIA POLICY

BNSF QUIET ZONE

ADJOURNMENT:

❖ Motion

Council Member Capp moved to adjourn the meeting. Motion seconded by Council Member Stoker, voted on, passed 5-0. Time 9:45p.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 17th day of April 2024.