

Record of the Proceedings of the Governing Body

REGULAR MEETING

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June 19, 2024

REGULAR MEETING:

The La Cygne City Council met on Wednesday, June 19, 2024 at the La Cygne Community Building. Council Members present were: Thomas Capp (arrived 7:25pm); Keith Stoker; Ed Smith; and Jerome Mitzner. Absent: David Brenneman.

Others in attendance included, but not limited to: City Attorney Burton Harding (Zoom); City Clerk (CC) Jodi Wade; Public Works Superintendent Dan Nasalroad; Interim Chief Craig Haley; Linn County Newspaper, Tony Furse; Linn County Journal Roger Simms; Woodworth Snow, LLC Ken Snow; Emil Wilson; Zachary Mathies and family.

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

Pledge of Allegiance – Mayor Debra Wilson

MAYOR COMMENTS:

a] Lead and Copper Inventory completion. We still need the assistance of our citizens for the completion of the Federal and State required Lead and Copper pipe inventory for all homes, businesses, and public facilities.

b] La Cygne Farmers Market is open on Fridays at 4:00pm at the La Cygne Library Swan Room.

c] Blast in the Park, July 6, 2024, La Cygne Community Park. Visit the City of La Cygne website for information regarding Volunteers and/or Sponsors for this event. Sponsorships go towards the cost of the Fireworks. The Blast will begin at 6pm. Fireworks are expected to launch around 9:30pm. Food, vendors, music, and games will be provided throughout the event.

d] The July council meeting is scheduled for July 3, 2024. Discussion was held regarding a quorum since it is the day before 4th of July. Several Council members and the mayor will be out of town for the holiday.

❖ Motion

Council Member Stoker motioned to move the council meeting scheduled for July 3, 2024 to Tuesday, July 2 at 7:00pm. Motion seconded by Council Member Smith voted on, passed 3-0.

CONSENT AGENDA:

❖ Motion to approve Consent Agenda:

Council Member Mitzner motioned to accept the Consent Agenda.

Minutes of the June 5, 2024 Council Meeting;

2024 May Budget Report;

2024 May Treasurer's Report;

Check Register: June 1, 2024 – June 14, 2024.

Lucy's Bar & Grill Drinking Establishment License Biennial Renewal

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

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DISCUSSION FROM THE FLOOR:

NONE

CONSENT AGENDA:

❖ Motion to approve Consent Agenda:

Council Member Capp motioned to accept the Consent Agenda.

Minutes of the May 15, 2024 Council Meeting;
Minutes of the May 22, 2024 Special Council Meeting;
Check Register: May 14, 2024 – May 31, 2024.

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

DISCUSSION FROM THE FLOOR:

NONE

REPORTS OF CITY OFFICERS:

INTERIM CHIEF CRAIG HALEY

Mayor Wilson presented Interim Chief Haley with a Certificate of Appreciation for providing his services as the Chief during the period of February 29, 2024 to date. Mayor Wilson thanked Craig for the work he has done to maintain and improve the processes of the police department.

POLICE CHIEF ZACHARY MATHIES

Chief Mathies advised the council of 11 reports since the last meeting, making a total of 83 reports for the year. Chief Mathies reviewed a recent case of assault and battery. Chief Mathies placed an ad for a Full-time Police Officer. Mayor Wilson inquired about the Lexipol program review. Chief Mathies will work on a Purchase Order for the July 2, 2024 meeting after he reviews the 2024 Budget.

Mayor Wilson made a recommendation to appoint Chief Zachary Mathies as the Public Health Officer.

❖ Motion

Council Member Mitzner motioned to approve Mayor Wilson's recommendation to appoint Police Chief Zachary Mathies as the Public Health Officer. Motion seconded by Council Member Stoker, voted on, passed 3-0.

PUBLIC WORKS SUPERINTENDENT(PWS) –DAN NASALROAD

PWS Nasalroad presented a job description for a Public Works Seasonal Laborer. PWS Nasalroad expressed the benefit of having an individual to assist with all the mowing and trimming through the summer/fall season. Council Member Stoker asked if the ad was still out for a Full-time Public Works employee and PWS Nasalroad stated the advertisement was still active.

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REPORTS OF CITY OFFICERS CONTINUED:

PUBLIC WORKS SUPERINTENDENT (PWS) – DAN NASALROAD

❖ **Motion**

Council Member Mitzner motioned to approve the job description for the position of Public Works Seasonal Laborer. Motion seconded by Council Member Stoker, voted on, passed 3-0.

PURCHASE ORDER NO. 2024-5 - PWS Nasalroad reviewed Purchase Order No. 2024-5 in the amount of \$9,069.99 for a Controller Package for the Swimming Pool. The original Chemtrol Controller went out of commission on June 11, 2024. We had already looked in to a new controller due to some issues evolving at the end of last season. Council Member Stoker asked what the timeframe would be for installation of the new controller. PWS Nasalroad indicated the controller has been ordered and should be installed the last week of June.

❖ **Motion**

Council Member Smith motioned to approve Purchase Order No. 2024-5 in the amount of \$9,069.66 for a new DCM 513 Controller package from Commercial Aquatics for the swimming pool. Motion seconded by Council Member Stoker, voted on, passed 3-0.

PURCHASE ORDER NO. 2024-6: PWS Nasalroad reviewed Purchase Order No. 2024-6 in the amount of \$3,910.93 from Mr. Electric to replace the existing mercury vapor lights on the existing 35' to 40' poles over the tennis court and basketball court with LED lights. Four Poles total. Council Member Mitzner noticed sales tax was calculated in on the quote.

❖ **Motion**

Council Member Mitzner motioned to approve Purchase Order No. 2024-6 in the amount of \$3579.80 from Mr. Electric to replace the existing mercury vapor lights on the existing 35' to 40' poles over the tennis court and basketball court with LED lights. Motion seconded by Council Member Stoker, voted on, passed 3-0.

FIRE CHIEF - DAN NASALROAD

Fire Chief Nasalroad discussed mutual and automatic aid agreements with the surrounding communities. Once he has information in hand he will share with the council.

CITY CLERK – JODI WADE

City Clerk Wade has been working on preparing the 2025 Budget. The 2023 Audit has not been received yet, hoping it will be received by next week.

City Clerk Wade reviewed the renewal for the Director and Alternate positions for the City of La Cygne representatives to the KMGa Board of Directors. CC Wade was assigned as the Director and PWS Nasalroad as the Alternate. The term is for a period of two years.

❖ **Motion**

Council Member Mitzner motioned to approve City Clerk Jodi Wade as the Director and Public Works Supt. Dan Nasalroad as the Alternate for the City of La Cygne representatives to the KMGa Board of Directors for the two-year term. Motion seconded by Council Member Stoker, voted on, passed 3-0.

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SPECIAL PROJECTS:

SEWER REHABILITATION PROJECT (REED ENVIRONMENTAL/BG CONSULTANTS)

No new updates.

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

No new updates.

WATER TREATMENT PLANT IMPROVEMENTS:

No new updates.

602 N 5TH STREET PROPERTY (CLINCH REALTY)

A Real Estate offer was presented by Clinch Realty from David and Tracy Lawver for the property located at 602 N. 5th Street. David and Tracy Lawver presented the following (5) proposed changes to the Deed Restrictions (Covenant Agreement) for the Council to review:

1. **Article 1, Section 2:** If they buy the property and are the owners, they would not like to be considered the developer. Also, it would not make sense for the City of La Cygne to be the Developer in that instance, so could this be removed.
2. **Article 2, Section 2:** The size requirement of 1,600 square feet for the dwelling seems excessive and we would like it to be lowered to a minimum of 1,000 square feet.
3. **Article 2, Section 4:** We would like to change from a requirement of a two-car garage down to a one car garage minimum.
4. **Article 2, Section 9:** Could this section be eliminated?
5. **Article 4, Section 2:** Could this section be eliminated as well?

The Council held discussion on each of the presented items for consideration. The council advised CC Wade to revise the existing Deed Restrictions modifying Article 1, Section 2; Article 2, Section 2; and Article 2, Section 4. The Council was not in favor of removing Article 2, Section 9 or Article 4, Section 2. CC Wade will draft the revised Deed Restrictions (Covenant Agreement) in Resolution form for the July 2, 2024 council meeting.

EXECUTIVE SESSION:

❖ Motion

Council Member Mitzner motioned to go in to executive discussion for 5-minutes for non-elected personnel review of applications for the Public Works Department and to return to the council table at 7:35pm. Motion seconded by Council Member Smith voted on, passed 4-0. 7:30pm

Others in attendance: City Clerk Wade, PWS Nasalroad

OPEN SESSION RESUMED AT 7:35pm:

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❖ **Motion**

Council Member Capp motioned to hire Kyle Rockers for the position of Public Works Seasonal Laborer. Motion seconded by Council Member Mitzner, voted on, passed 4-0 (Council Member Stoker abstained).

REPORT OF COUNCIL COMMITTEES:

a] **Utilities Committee:** None

b] **Street Committee:** None

c] **City Facility Committee:** Council Member Stoker and CC Wade met earlier today to review the City Hall and Community Building. Council Member Stoker advised the council of (3) possible uses for the buildings to help relieve the crowdedness of the city hall, provide separate space for the Police Department and still provide a Community Building space. CC Wade asked for the council's approval to meet with an Architect to develop some concepts and project costs.

❖ **Motion**

Council Member Capp motioned to approve for CC Wade to meet with an architect to review the possible uses for the City Hall and Community Building and to get an estimate for development of concepts and project costs. Motion seconded by Council Member Smith, voted on, passed 4-0.

d] **Public Safety Committee:** CC Wade received a quote from one company. Discussion was held regarding the signage on side streets within the school zone area. Chief Mathies will review the traffic flow and assist with getting quotes for the replacement of the School Zone lights.

e] **Employee Relations and Training Committee:** None

SPECIAL COMMITTEE REPORTS:

EMERGENCY MANAGEMENT: NONE

CHAMBER OF COMMERCE – NONE

PLANNING & ZONING COMMISSION (PZC): Mayor Wilson recommended Robert Blanck for the vacant position on the Board of Zoning Appeals.

❖ **Motion**

Council Member Capp motioned to accept the recommendation of Mayor Wilson to appoint Robert Blanck to the Board of Zoning appeals. Motion seconded by Council Member Stoker, voted on, passed 4-0.

UNFINISHED BUSINESS:

825 N. 7TH STREET COURT UNITS A AND B. – INSURANCE PROCEEDS

CC Wade presented photos taken on June 19, 2024 of the structure located at 825 N. 7th Street Court Units A and B. To date the council terminated the abatement hearing. The items required to be performed to remove the placard have been completed. Craig Bradley indicated the two tarped piles on the driveway were the new drywall to be installed. Andrea Kincaid indicated the lower portions of the house walls on the front porches would be covered with a stone facia when completed. City Attorney Harding had no further questions regarding the request to release the insurance proceeds.

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UNFINISHED BUSINESS CONTINUED:

825 N. 7TH STREET COURT UNITS A AND B. – INSURANCE PROCEEDS

❖ **Motion**

Council Member Mitzner motioned approve the release of the insurance proceeds in the amount of \$19,918.88 to the owner of 825 N. 7th Street Court. Motion seconded by Council Member Stoker, voted on, passed 4-0.

ORDINANCE NO. AMENDING SECTION 6-203 AND 6-205 OF ARTICLE 2, CHAPTER VI OF THE CODES OF THE CITY OF LA CYGNE, KANSAS.

❖ **Motion**

Council Member Capp motioned to approve Ordinance No. 1528 amending section 6-203 and 6-205 of Article 2, Chapter VI of the Codes of the City of La Cygne, Kansas. Motion seconded by Council Member Mitzner, voted on, passed 4-0.

528 N. 6TH STREET

The application for a Variance Permit is on hold until the vacant seat on the Board of Zoning Appeals is filled.

EMPLOYEE PAY SCALES

Council would like to set up a future workshop after the 2025 Budget is prepared and completed.

ANNEXATION OF 713 INDUSTRIAL PARK DRIVE

CC Wade was contacted by Jessica Hightower, Linn County Economic Development, and Shaun West, Linn County Public Works for discussion of possibly de-annexing the property located at 713 Industrial Park Drive. The considered use which resulted in the annexation did not materialize. The Council discussed the dollar amount in which the City had already invested in the property investigating the utility infrastructure. The council agreed they were not interested in de-annexing the property.

The council proceeded to review the quote from Allenbrand-Drews in the amount of \$2,170 to produce a new updated Boundary Declaration.

❖ **Motion**

Council Member Capp motioned approve the quote from Allenbrand-Drews in the amount of \$2,170 to produce a new updated Boundary Declaration for the City of La Cygne. Motion seconded by Council Member Stoker, voted on, passed 4-0.

NEW BUSINESS:

RESOLUTION NO. REGARDING FIREWORK DISPLAYS FOR CITY DESIGNATED EVENTS ON NON-EXEMPT DAYS.

CC Wade presented the modifications to the Resolution referring to "City Designated Events".

❖ **Motion**

Council Member Capp motioned to approve Resolution No. 471 regarding firework displays for city designated events on Non-exempt days. Motion seconded by Council Member Stoker, voted on, passed 4-0.

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NEW BUSINESS CONTINUED:

CC Wade proceeded to request approval for the Blast in the Park to be held on July 6, 2024 at the La Cygne Community Park.

❖ **Motion**

Council Member Capp motioned to approve a firework display at the Blast in the Park hosted by the City of La Cygne on July 6, 2024 at the La Cygne Community Park. Motion seconded by Council Member Stoker, voted on, passed 4-0.

BUDGET WORKSHOP

CC Wade asked the council to set up a budget workshop to review the 2025 Budget DRAFT.

❖ **Motion**

Council Member Stoker motioned to approve a council workshop on July 9, 2024 at 6pm to review the 2025 Budget Draft. Motion seconded by Council Member Capp, voted on, passed 4-0.

POLICY REVIEW IN PROGRESS

STANDARD OPERATION PROCEDURE MANUAL FOR POLICE AND CITY HALL

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 4-0. Time 8:39p.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 June 2024.