

**Record of the Proceedings of the Governing Body**  
**REGULAR MEETING**

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**January 5, 2022**

**REGULAR MEETING:**

The La Cygne City Council met on Wednesday, January 5, 2022 at the La Cygne Community Building. Council Members present were: Keith Stoker; Danny Curtis; James Thies; and Thomas Capp. Absent: Jerome Mitzner, City Attorney Burton Harding.

Others in attendance included, but not limited to: City Clerk (CC) Jodi Wade; Police Chief Fenoughty; Public Works Superintendent (PWS) Dan Nasalroad; Codes Officer Allison Fox; Linn County News Tony Furse.

**CALL REGULAR MEETING TO ORDER (6:00 P.M.)**

Pledge of Allegiance – Mayor Debra Wilson

**MAYOR COMMENTS:**

a] Mayor Wilson wished everyone a happy new year.

b] Mayor Wilson complimented the Council on all of the achievements throughout 2021. Mayor Wilson was proud of the improvements in the city, such as; the surge in new businesses, improvement to the water distribution system, and the upcoming sewer rehabilitation project. The city plans to continue improving the infrastructure by completing a stormwater survey and street project.

**NEW YEAR ORGANIZATION:**

**RESOLUTION #437 – AUTHORITY TO PAY PAYROLL AND CERTAIN BILLS EARLY**

A resolution of the City of La Cygne, Linn County, Kansas regarding the payment of payroll checks and certain routine monthly bills.

❖ **Motion**

**Council Member Capp motioned to approve Resolution No. 437 authorizing the payment of payroll checks and routine monthly bills to take advantage of discounts or if they become due and payable prior to appearing on the next council meeting check voucher list. Motion seconded by Council Member Stoker voted on, passed 4-0.**

**RESOLUTION #438 – A RESOLUTION REGARDING THE WAIVER FROM GAAP-PRESCRIBED STATEMENTS AND GENERAL FIXED ASSETS ACCOUNTING**

❖ **Motion**

**Council Member Capp motioned to approve Resolution No. 438 regarding a waiver from GAAP-prescribed statements and general fixed assets accounting. Motion seconded by Council Member Stoker voted on, passed 4-0.**

**OFFICIAL CITY NEWSPAPER**

❖ **Motion**

**Council Member Curtis motioned to approve Linn County News as the official city newspaper. Motion seconded by Council Member Thies voted on, passed 4-0.**

**CONSENT AGENDA:**

❖ **Motion to approve Consent Agenda:**

**Council Member Stoker motioned to accept the Consent Agenda as presented.**

Minutes of December 15, 2021 City Council Meeting;  
Check Register: December 16 – January 5, 2022;

**Motion seconded by Council Member Curtis, voted on, passed 4-0.**

**DISCUSSION FROM THE FLOOR:**

NONE

**SPECIAL PROJECTS:**

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

Starbuck Trucking has nearly completed the clay liner on Basin #2. A construction meeting will be held to review the process for filling the new basin and transitioning the water plant to function from the new basin while Starbuck performs work on the existing Basin #1. Terracon performed some nuclear field density tests to measure moisture content and dry density.

**SEWER REHABILITATION PROJECT (BG CONSULTANTS)**

Paul Owings, BG Consultants, reached out to City Attorney Harding for some legal paperwork to be completed for the contract to finalize the bid plans and documents. Mayor Wilson had been advised by City Attorney Harding the legal documents had been reviewed, signed and returned to BG Consultants.

**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 working with Fire Chief Nasalroad and Police Chief Fenoughty to complete the details on the application.

**AMERICAN RESCUE PLAN ACT FUNDS (ARPA)**

The first annual report is due April 2022.

**HEAL GRANT PROGRAM – COMMUNITY BUILDING**

HEAL Grant awards will be announced on January 10, 2022.

**REPORTS OF CITY OFFICERS:**

**CITY ATTORNEY – BURTON HARDING:** Completed paperwork for the sewer rehabilitation project.

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**REPORTS OF CITY OFFICERS CONTINUED:**

**CHIEF OF POLICE – TINA FENOUGHTY**

**8 Traffic Stops Conducted**

**Citations issued since last meeting**

|                   |   |               |   |
|-------------------|---|---------------|---|
| Speed School Zone | 0 | Tag Expired.  | 0 |
| Fail to Yield     | 0 | No Tag        | 0 |
| Insurance         | 0 | No DL         | 0 |
| RR Crossing       | 0 | Speed         | 2 |
| Vicious Dog/RAL   | 1 | Paraphernalia | 0 |
| Suspended DL      | 0 | Equipment     | 6 |

**Calls for Service / Reports – 12/16/2021 thru 1/03/2022**

|                           |                                  |
|---------------------------|----------------------------------|
| Animal Complaint – 1      | Traffic Complaints - 1           |
| Assist Outside Agency – 2 | Civil Stand-by – 0               |
| Building Check – 1        | Citizen Assist CFS / contact - 7 |
| Fingerprints – 0          | Juvenile Incident – 2            |
| Check Welfare – 2         | Federal Record Checks– 0         |
| Follow Up – 7             | Theft - 1                        |
| Suspicious Activity – 2   | Vehicle Lockout – 0              |
| Disturbance – 2           | Drug Case - 0                    |
| Assault LEO – 0           | Criminal Damage – 1              |
| Non-Injury Accident – 0   | Pedestrian Check – 1             |
| Disorderly Conduct – 0    | Warrant Attempt – 1              |
| Felony Warrant – 2        | Misdemeanor Warrant - 1          |

**VIN Inspections** – 4 completed

**New Business:** None at this time

**Unfinished Business:** None at this time

Accrued overtime for last period = 0 hours

**EXECUTIVE SESSION:**

❖ **Motion**

**Council Member Capp motioned to go in to executive session for 10-minutes for non-elected personnel matter to conduct employee reviews and will return to the Council table at 6:20 p.m. Motion seconded by Council Member Stoker voted on, passed 4-0. 6:10 p.m.**

Others in attendance included, but not limited to: Police Chief Fenoughty

**OPEN SESSION RESUMED AT 6:20pm:**

❖ **Motion**

**Council Member Capp motioned to approve a raise for Officer Allison Fox to \$18.55 per hour which includes COLA plus performance raise effective January 3, 2022. Motion seconded by Council Member Stoker voted on, passed 4-0.**

**REPORTS OF CITY OFFICERS CONTINUED:**

**CODES ENFORCEMENT – ALLISON FOX**

Officer Fox has some INOP letters to get completed and mailed out. Mayor Wilson advised Officer Fox to reach out to City Treasurer Connie Gore for assistance with mailings.

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

NONE

**CITY CLERK – JODI WADE**

Report from 12/16/2021 – 1/05/2021

**City Clerk**

- Completed monthly financials.
- Reviewed 2021 budget reports.
- Entered the 2022 budget numbers.
- Completed the fiscal year end.
- Met with Danny Caltrain, MW Engineer group to review water plant analysis information needed.
- Completed and submitted the HEAL grant application.
- Continued to work with PWS Nasalroad on the narratives for the FOB Trustee grant application.
- Created a timeline of water plant studies and water plant improvement projects.
- Cleaned out past records ready for disposal.
- Reviewed the mobile home licensing procedure/process with Mayor Wilson. Pulled all sections from the zoning regulations and/or codes book pertaining to mobile home parks.
- Reviewed the concerns with the beverage section of the codes book with Mayor Wilson.
- Updated council roster and letterhead.
- Ordered and set up filing cabinets for codes/nuisance files and Planning & Zoning files/permits.

Overtime Hours for City Hall for the last pay period: none

**CITY TREASURER/COURT CLERK – CONNIE GORE**

Report from 12/16/2021-1/4/2022:

**Utilities**

- Penalties accessed.
- Processed the utility bills and mailed.
- Processed the end of the year and deposit interest.

**Court**

- Court paperwork, warrant, probation orders, payments processed and filed.
- Talked to the new judge.
- Sent letters to defendants changing the court date and updated each case in system.
- Updated court forms to reflect new judge.
- Processed the end of the year.

**REPORTS OF CITY OFFICERS CONTINUED:**

**CITY TREASURER/COURT CLERK – CONNIE GORE**

Report from 12/16/2021-1/4/2022:

**Other**

- Worked on cemetery clean up and spreadsheet. Started with Pollman and it is about done. La Cygne cemetery should go fast. Oaklawn Cemetery is going to take a while.
- Talked with software tech about a couple of issues they resolved for now.
- Talked with the software programmer three (3) times about various issues we are having. Still working on getting the utility issues resolved.

**COUNCIL COMMITTEE REPORTS:**

**WATER & GAS -NONE**

**STREET -NONE**

**SEWER-**

- ✓ Stormwater Master Plan RFQs will be received on January 17, 2022. The committee consisting of Council Member Capp and Council Member Mitzner will review the RFQs prior to the Council meeting on January 19, 2022.

**PARK-NONE**

**CEMETERY –NONE**

**PUBLIC SAFETY –**

- ✓ Guide for Renters, Landlords and Homeowners. The committee consisting of Council Member Stoker, Council Member Mitzner and Fire Chief Nasalroad will meet to review prior to the next Council meeting or prior to the first meeting in February 2022.

**COMMUNITY BUILDING-NONE**

**EMPLOYEE RELATIONS & TRAINING-NONE**

**SPECIAL COMMITTEE REPORTS:**

**EMERGENCY MANAGEMENT -NONE**

**CHAMBER OF COMMERCE –NONE**

**PLANNING & ZONING COMMISSION (PZC) –**

- ✓ Meeting with IBTS on January 13, 2022 at 7pm. Will be reviewing questions for a community survey and discuss upcoming community meetings.

**LA CYGNE COMMUNITY PARK BOARD(LCPB)-NONE**

- ✓ Annual meeting of the Trustees and Park Board meeting January 25, 2022.

**UNFINISHED BUSINESS:**

**DEMOLITION OF 602 N. 5<sup>TH</sup> STREET.**

CC Wade explained to the Council the parcel located at 602 N. 5<sup>th</sup> Street has always been one large piece. It does not consist of multiple lots. The parcel would have to go through the subdivision procedures of the Planning Commission if it is decided to separate the parcel in to separate lots. Discussion was held about the value of the property and about the process for the city to sell the property. Council Member Stoker, Council Member Capp and Council Member Curtis were in agreement the Planning & Zoning Commission needs to research information regarding the value of the lot, use of the lot and provide a recommendation to the Council.

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**UNFINISHED BUSINESS CONTINUED:**

**ORDINANCE NO. ANNEXING LAND TO THE CITY OF LA CYGNE, KANSAS**

Discussion was held regarding a special meeting in order to review the lot being considered for annexation.

**RESOLUTION NO. 02-17 REGARDING MAINTENANCE OF STREETS WITHIN THE LINN COUNTY INDUSTRIAL PARK, LA CYGNE, KANSAS.**

Discussion was held regarding a special meeting in order to review the lot being considered for annexation.

❖ **Motion**

**Council Member Capp motioned to have a special meeting at 7pm on January 10, 2022 for the purpose of reviewing Ordinance No. Annexing land to the City of La Cygne and Resolution No. 02-17 regarding maintenance of streets within the Linn County Industrial Park, La Cygne, KS. Motion seconded by Council Member Stoker voted on, passed 4-0.**

**NEW BUSINESS:**

**307 SWAN STREET**

Property owned by Lincoln Township. AMR has moved out of the building into the new location. Would the City of La Cygne have any interest in leasing the building from Lincoln Township? Discussion was held regarding the maintenance of the building and mowing of the property. Council Member Stoker asked PWS Nasalroad if the storage would be useful and PWS Nasalroad indicated they are always in need of more storage space for equipment. Council Member Capp requested a written lease agreement be presented to the Council for review.

**CHRISTMAS POLE LIGHT DECORATIONS**

Christmas Pole Light Decorations: CC Wade will have Gary Spears remove the decorations from the poles. Prior to removal it needs to be determined if the decorations can be stored again in the storage building at the La Cygne Community Park. PWS Nasalroad had spoken to Park Board Chairman Tony Stallings about storing the Christmas pole light decorations in the shed again and Tony indicated that would be fine. Council Member Curtis stated the Park Board had in their minutes the decorations could be stored in the park shed for either one or two years. PWS Nasalroad asked what the Park Board was going to be using the building for in two years. Council Member Curtis said he thought there were some items being stored in the Rock House building that needed to be stored somewhere else. The Council proceeded to move forward with storing the Christmas pole light decorations in the building in the park for the next year and will review later this year.

**INSTALLATION OF AN ELECTRICAL PEDESTAL IN THAYER PARK**

Installation of an electrical pedestal in Thayer Park to provide power at the small shelter during Halloween and Christmas. Discussion would need to be held between the Chamber of Commerce and the City to review funding. Mayor Wilson informed the Council about the fundraisers which had taken place in the past for funds to further improve Thayer Park. The Mayor and Council advised CC Wade to reach out to the Chamber of Commerce regarding the funds and to seek cost estimates for adding electrical power to the park.

**NEW BUSINESS CONTINUED:**

**EMPLOYEE EVALUATIONS**

**EXECUTIVE SESSION:**

❖ **Motion**

**Council Member Capp motioned to go in to executive session for 20-minutes for non-elected personnel matter to conduct employee reviews and will return to the Council table at 7:18 p.m. Motion seconded by Council Member Stoker voted on, passed 4-0. 6:58 p.m.**

Others in attendance included, but not limited to: None

**OPEN SESSION RESUMED AT 7:18pm:**

**EXECUTIVE SESSION:**

❖ **Motion**

**Council Member Stoker motioned to go in to executive session for 15-minutes for non-elected personnel matter to conduct employee reviews and will return to the Council table at 7:33p.m. Motion seconded by Council Member Capp voted on, passed 4-0. 7:18 p.m.**

Others in attendance included, but not limited to: PWS Nasalroad

**OPEN SESSION RESUMED AT 7:33pm:**

**EXECUTIVE SESSION:**

❖ **Motion**

**Council Member Capp motioned to go in to executive session for 5-minutes for non-elected personnel matter to conduct employee reviews and will return to the Council table at 7:38 p.m. Motion seconded by Council Member Curtis voted on, passed 4-0. 7:33 p.m.**

Others in attendance included, but not limited to: PWS Nasalroad

**OPEN SESSION RESUMED AT 7:38pm:**

**EXECUTIVE SESSION:**

❖ **Motion**

**Council Member Capp motioned to go in to executive session for 7-minutes for non-elected personnel matter to conduct employee reviews and will return to the Council table at 7:45 p.m. Motion seconded by Council Member Thies voted on, passed 4-0. 7:38 p.m.**

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

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**OPEN SESSION RESUMED AT 7:45 pm:**

**EXECUTIVE SESSION:**

NONE

**OTHER BUSINESS:**

❖ **Motion**

**Council Member Capp motioned to approve all pay raises and COLA increases as presented. Motion seconded by Council Member Thies voted on, passed 4-0.**

**NOTES AND COMMUNICATIONS TO COUNCIL:**

Mayor Wilson presented the proclamation for Joe Turpen which was presented at his funeral. Mayor Wilson asked CC Wade to be sure to contact all members of the Council anytime we receive notice of passing of city representatives, employees or committee members.

Mayor Wilson reminded the Council about the special council meeting on Monday, January 10, 2022 at 6:00pm for the purpose of swearing in newly elected officials and annual organization business and the special council meeting scheduled for 7:00pm.

**GOVERNING BODY REMARKS:**

CC Wade asked if Council Member Capp and Council Member Mitzner would like to review the RFQs for the Stormwater Master Plan on Monday or Tuesday. CC Wade also asked Council Member Stoker and PWS Nasalroad about setting up a time and date to meet regarding the guide for renters, landlords and homeowners. Council Member Stoker indicated he was available any day after 3:30pm.

**ADJOURNMENT:**

❖ **Motion**

**Council Member Capp moved to adjourn the meeting. Motion seconded by Council Member Stoker, voted on, passed 4-0. Time 7:54 p.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 5<sup>th</sup> day of January, 2022.