

# **Record of the Proceedings of the Governing Body**

## **REGULAR MEETING**

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**January 15, 2025**

### **REGULAR MEETING:**

The La Cygne City Council met on Wednesday, January 15, 2025 at the La Cygne Community Building. Council Members present were: Thomas Capp; Ed Smith; David Brenneman; Jerome Mitzner; and Keith Stoker

Others in attendance included, but not limited to: City Attorney Burton Harding; City Clerk (CC) Jodi Wade; Police Chief Zachary Mathies; Public Works Superintendent (PWS) Dan Nasalroad; Linn County Newspaper, Tony Furse; Linn County Journal, Roger Sims.

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

Pledge of Allegiance by Mayor Debra Wilson

### **MAYOR COMMENTS:**

Winter officially arrived. We appreciate patrons staying safe during the storm events. Road crews worked to keep traffic moving on the roads. Ice during the first storm event created some challenging situations. Grateful for all public safety crews, utilities and emergency personnel for taking care of our community.

### **CONSENT AGENDA:**

#### **❖ Motion to approve Consent Agenda:**

##### **Council Member Capp motioned to accept the Consent Agenda.**

2024 December Budget Report;  
2024 December Treasurer's Report;  
2024 4<sup>th</sup> Quarter Financial Statement;  
2024 Annual Financial Statement;  
Check Register: December 31, 2024 – January 11, 2025;

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

### **DISCUSSION FROM THE FLOOR:**

None

### **REPORTS OF CITY OFFICERS:**

#### **POLICE CHIEF ZACHARY MATHIES**

Chief Mathies reported on the 2025 Totals for Traffic Stops (16), Citations (0), Calls for Service (20) and Reports (6). From January 1 – January 14: (2) Information Reports, (0) Alcohol Offenses, (0) Traffic Offense, (16) Traffic Warnings, (2) Criminal Offense Report, (0) Accident Reports, (0) Drug Offenses, (2) Warrant Arrests, (0) Traffic Citations, (20) Calls for Service; (0) Animal Citations; (38) District Checks; (9) Building Checks.

Chief Mathies is still working on the Animal Control agreement with the City of Parker and with City Attorney Burton Harding.

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### **REPORTS OF CITY OFFICERS:**

#### **POLICE CHIEF ZACHARY MATHIES**

The two additional Body Cams have been received from AXON.

Chief Mathies reviewed the new Codes Enforcement Officer app which will provide the ability to build a database of all nuisances or abatements being processed. The app is accessible from the Codes Officer phone and uploads to the computer. Council Member Mitzner asked if everything is operating through a secure system. Chief Mathies confirmed it is based through google gmail and information being maintained is all standard open record information.

#### **PUBLIC WORKS SUPERINTENDENT (PWS) DAN NASALROAD**

PWS Nasalroad reported his crew has been maintaining streets and facilities through the winter weather. The crew addressed a gas leak over the weekend. Two water leaks will be repaired at the end of the week and next week on South 5<sup>th</sup> street and near Whistle Redi-Mix.

PWS Nasalroad asked the Council to review the process for street clearing. PWS Nasalroad walked through the sequence of clearing downtown first, the dump truck plows on North/South streets and the 1-ton plows East/West due to the widths of the roads and dead ends, Broadway/4<sup>th</sup>/6<sup>th</sup> are high traffic roads and approached first, Market Street (Hwy 152) is cleared white-line to white-line by the state and the city is responsible for the wings. The Council expressed no concerns regarding the road clearing process. PWS Nasalroad stated another load of Sand Salt had been delivered back on Monday.

#### **FIRE CHIEF - DAN NASALROAD**

Chief Nasalroad postponed the warranty walk-thru with Rick Zingre of Zingre Architects and Justin with Hofer and Hofer and Associates due to the weather.

#### **CITY CLERK – JODI WADE**

CC Wade reported she had been working on closing out the 2024 Financials.

#### **PURCHASE ORDER NO 2024-19 IN THE AMOUNT OF \$1,350 FOR A LAPTOP TO BE USED DURING COUNCIL MEETINGS AND PLANNING AND ZONING MEETINGS.**

Purchase Order No 2024-19 in the amount of \$1,350 from Advantage Computers for an ASUS Laptop with Windows 11 Pro to be used during Council meetings and Planning and Zoning Meetings.



#### **Motion**

**Council Member Mitzner motioned to approve Purchase Order No. 2024-19 for \$1,350 from Advantage Computers for an ASUS Laptop with Windows 11 Pro to be used during Council meetings and Planning and Zoning Meetings. Motion seconded by Council Member Capp, voted on, passed 5-0.**

#### **PURCHASE ORDER NO 2024-20 IN THE AMOUNT OF \$3,044 FOR ACE BLACK BOX EXTERNAL HARD DRIVE FOR THE SERVER RACK**

Purchase Order No 2024-20 in the amount of \$3,044 for Ace Black Box external hard drive for the server rack to provide back-up service for the financial programs of the City of La Cygne.



#### **Motion**

**Council Member Mitzner motioned to approve Purchase Order No. 2024-20 in the amount of \$3,044 for Ace Black Box external hard drive for the financial programs of the City of La Cygne. Motion seconded by Council Member Capp, voted on, passed 5-0.**

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### **SPECIAL PROJECTS:**

#### **SEWER REHABILITATION PROJECT (BG CONSULTANTS)**

Pay Application No. 1 from Hodges Farm & Dredging, LLC in the amount of \$426,455 for the period of September 16, 2024 through December 30, 2024.

#### ❖ **Motion**

**Council Member Capp motioned to Pay Application No. 1 from Hodges Farm & Dredging, LLC in the amount of \$426,455 for the period of September 16, 2024 through December 30, 2024. Motion seconded by Council Member Stoker, voted on, passed 5-0.**

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

CC Wade spoke to the KS Dept of Transportation. The project closeout is being held at the district level waiting for "Final Invoice". CC Wade attempted to contact Ian Stringham, Construction Manager, to follow up on his email from July 1, 2024 which indicated final applications were in and reviewed and would be submitted to District within the next 60 days.

CC Wade reported an update email was received. It is currently "on hold" in the CE Phase waiting for the indication of a final bill. CC Wade contacted Ian Stringham by email to look in to the reason why district had not been informed of receipt of final invoice.

#### **WATER TREATMENT PLANT IMPROVEMENTS:**

CC Wade has been working with MW Engineering Group to get estimated costs for the maintenance needed to be done, to include; Replace Raw Water pumps, replace existing piping to low service pumps, and the piping and valves to the clarifiers. Estimated cost is in the range of \$300,000 to \$450,000.

### **REPORT OF COUNCIL COMMITTEES:**

- a] **Utilities Committee:** None
- b] **Street Committee:** None
- c] **City Facility Committee:** None
- d] **Public Safety Committee:** None
- e] **Employee Relations and Training:** None

### **SPECIAL COMMITTEE REPORTS:**

**EMERGENCY MANAGEMENT:** None

**CHAMBER OF COMMERCE –** None

**PLANNING & ZONING COMMISSION (PZC):** Public Hearing for CUP 2024-5 for 627 N. Broadway Street (La Cygne MHC, LLC) was continued to January 8, 2025 as both the applicant and commission review information.

#### ❖ **Motion**

**Council Member Mitzner motioned to approve the final Minor Plat for 602 N. 5<sup>th</sup> Street to be known as Lawver Addition. Motion seconded by Council Member Capp, voted on, passed 5-0.**

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### **UNFINISHED BUSINESS:**

#### **402 S BROADWAY – CONDEMNED GARAGE TO BE REMOVED**

City Attorney Harding had reached out to the property owner who stated interest to revisit the agreement to quit claim to the property in lieu of payment for the abatements assessed to the property. City Attorney indicated the property owner would like to attend a future meeting.

### **EXECUTIVE SESSION:**

#### ❖ **Motion**

Council Member Capp motioned to go in to executive discussion for 15-minutes for consultation with an attorney for the city which would be deemed privileged in an attorney-client relationship for the purpose of Compactor Agreement and to return to the council table at 7:48pm. Motion seconded by Council Member Smith, voted on, passed 5-0. 7:33pm

Others in attendance: City Attorney Harding, CC Wade and PWS Nasalroad

### **OPEN SESSION RESUMED AT 7:48pm:**

#### ❖ **Motion**

Council Member Mitzner motioned to go in to executive discussion for 10-minutes for non-elected personnel matter to conduct employee's reviews for Department Heads and to return to the council table at 8:02pm. Motion seconded by Council Member Smith, voted on, passed 5-0. 7:50 pm

Others in attendance: None

### **OPEN SESSION RESUMED AT 8:02pm:**

#### ❖ **Motion**

Council Member Mitzner motioned to go in to executive discussion for 7-minutes for non-elected personnel matter to conduct employee's reviews for Police Department and to return to the council table at 8:10pm. Motion seconded by Council Member Smith, voted on, passed 5-0. 8:03pm

Others in attendance: Police Chief Mathies

### **OPEN SESSION RESUMED AT 8:10pm:**

#### ❖ **Motion**

Council Member Capp motioned to go in to executive discussion for 10-minutes for non-elected personnel matter to conduct employee's reviews for Public Works Department and to return to the council table at 8:21pm. Motion seconded by Council Member Smith, voted on, passed 5-0. 8:11pm

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Others in attendance: PWS Nasalroad

### **OPEN SESSION RESUMED AT 8:21pm:**

### **RECESS:**

#### **❖ Motion**

**Council Member Capp motioned to take a 4-minute recess. Motion seconded by Council Member Smith, voted on, passed 5-0.**

### **NEW BUSINESS:**

#### **ORDINANCE NO. REPLACING SECTION 14-125 OF CHAPTER 14, ARTICLE 1. WATER AND SECTION 14-230 OF CHAPTER 14, ARTICLE 2. SEWER OF THE CODE OF THE CITY OF LA CYGNE**

CC Wade reviewed the current section within the codes book regarding an automatic annual increase of 2.5% on Water and Sewer. CC Wade reviewed the current financials for both utilities and made a recommendation to the council to modify the water and sewer utility sections regarding an automatic annual increase and change to the rates being located within the City's Fee Schedule and being reviewed annually by the City Clerk and Council for approval on an annual basis. Both utilities have built solid base financial platforms, if the 2.5% continued every year the city could find themselves pricing patrons out of water and sewer services.

#### **❖ Motion**

**Council Member Mitzner motioned to approve Ordinance No. 1537 replacing section 14-125 of Chapter 14, article 1. Water, and Section 14-230 of Chapter 14, Article 2. Sewer of the Code of the City of La Cygne, Kansas. Motion seconded by Council Member Brenneman, voted on, passed 5-0.**

CC Wade reviewed the current rates for Water and Sewer Utility and the Treasurer's report for both utilities. Based on the current end of year figures for 2024 and the 2025 budget, CC Wade recommended leaving the water and sewer rates at their current values.

#### **❖ Motion**

**Council Member Capp motioned to maintain the Water and Sewer rates at the current 2024 values as presented. Motion seconded by Council Member Mitzner, voted on, passed 5-0.**

#### **2024 FINANCIAL REVIEW AND 5-YEAR CAPITAL IMPROVEMENT, EQUIPMENT, SPECIAL HIGHWAY, UTILITY, PARK AND CEMETERY RESERVE REVIEW**

CC Wade presented the council with the 5-year reserve spreadsheets to review. CC Wade reviewed the Capital Improvement/Equipment Reserve for the General Fund (City Hall, Police and Fire). Discussion was held regarding improvements to the Public Facilities (City Hall/Police Department). Mayor Wilson suggested having a workshop scheduled to discuss the buildings.

CC Wade reviewed the Special Sales Tax Fund for the Park/Pool. CC Wade walked the council through the remaining schedule on the bonds. Discussion was held regarding preparations for completion of payment on the bonds and the sunseting of the 1% Sales Tax. The bonds could have an early payout in 2027. The sales tax question could be put on the ballot prior to the final payment to continue the sales tax. CC Wade proposed obligating a portion towards Street improvement and keeping a small portion (1/8 or 1/4) for the park. Discussion was held on the current cost of operations and maintenance for the pool and park.

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CC Wade reviewed the Special Highway Reserve and reminded the council of the potential of setting the Sales Tax up to help provide an opportunity for a source to pay for bonds for street projects. Streets is one of the most challenging projects to obtain grant or funding.

CC Wade reviewed the Utility Reserve. This reserve was set up in 2024. The current amount transferred for 2024 was \$60,000. CC Wade is reviewing the utility accounts in preparation for scheduled transfer going forward. CC Wade indicated \$400,000 is scheduled to be transferred to the reserve in 2025 from Gas, \$35,000 from Sewer and \$40,000 from Water. The total in the Reserve for 2025 would be \$535,000. CC Wade reviewed the Capital and Equipment Improvements on the schedule for all three utilities. CC Wade recommended to the council to proceed with the operating and maintenance improvements for the Water Plant which have an estimated cost of \$300,000 to replace the two existing raw water pumps, the low-level piping and piping to the clarifiers. CC Wade asked the council if they were ok with proceeding forward with getting quote from a general contractor for the work to be performed. The Council agreed unanimously for CC Wade to proceed with getting estimates to present at the next council meeting.

### **POLICY REVIEW IN PROGRESS**

**DRAFT COMPANY VEHICLE USE POLICY**

**RENTAL READY PROGRAM (LANDLORD REGISTRATION)**

### **NEW POLICY REVIEW:**

**ARTICLE 5. PARKING**

**SOCIAL-MEDIA POLICY**

**BNSF QUIET ZONE**

**GOVERNING BODY REMARKS:** None

**NOTES AND COMMUNICATION:** None

### **ADJOURNMENT:**

❖ **Motion**

**Council Member Capp moved to adjourn the meeting. Motion seconded by Council Member Stoker, voted on, passed 5-0. 9:36p.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 15<sup>th</sup> day of January 2025.