

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

## **REGULAR MEETING**

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**January 2, 2025**

### **REGULAR MEETING:**

The La Cygne City Council met on Wednesday, January 2, 2025 at the La Cygne Community Building. Council Members present were: Thomas Capp; Ed Smith; David Brenneman; and Jerome Mitzner. ABSENT: Keith Stoker

Others in attendance included, but not limited to: City Attorney Burton Harding (via Zoom); 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; and Emil Wilson.

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

Pledge of Allegiance by Mayor Debra Wilson

### **MAYOR COMMENTS:**

Mayor Wilson presented the 2024 – Year in review Power Point highlighting the infrastructure improvements, housing improvements, community outreach, policy review and implementation, and staff achievements.

### **NEW YEAR ORGANIZATION:**

#### **RESOLUTION NO. AUTHORITY TO PAY PAYROLL AND CERTAIN BILL EARLY**

Resolution # \_\_\_\_ - Authority to Pay Payroll and Certain Bills Early

#### **Motion**

**Council Member Capp motioned to approve Resolution No. 477 authorizing to pay payroll and certain bills early. Motion seconded by Council Member Mitzner, voted on, passed 4-0.**

#### **RESOLUTION NO. WAIVER FROM CERTAIN ACCOUNTING PROCEDURES**

Resolution # \_\_\_\_ - Waiver from Certain Accounting Procedures

#### **Motion**

**Council Member Capp motioned to approve Resolution No. 478 regarding waiver from GAAP-prescribed statements and general fixed asset accounting procedures. Motion seconded by Council Member Mitzner, voted on, passed 4-0.**

#### **OFFICIAL CITY NEWSPAPER**

Official City Newspaper – Linn County News

#### **Motion**

**Council Member Mitzner motioned to approve Linn County Newspaper as the official newspaper for the City of La Cygne. Motion seconded by Council Member Smith, voted on, passed 4-0.**

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### **CONSENT AGENDA:**

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

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

Minutes of December 18, 2024 City Council Meeting;

Check Register: December 15, 2024 – December 30, 2024

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

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

Roger Simms, Linn County Journal, addressed the council about publishing Ordinances, Public hearing notices and legal notices in the Linn County Journal. Roger Sims stated his company would publish them free of charge but a \$30 donation would be appreciated. Roger also discussed Help Wanted advertisements. His journal places advertisement on the front page for open positions. The journal is available online and is also placed at various business locations around Linn County. Mayor Wilson asked CC Wade to review the Linn County Journal information for future possibility. City Attorney Harding stated there was not a limitation on how many sources were defined as the Official Newspaper, the city is obligated to publish in the sources designated as the official newspaper. The council was supportive of posting items in the Linn County Journal and will consider the journal as a possible future "Official newspaper".

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

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

Chief Mathies reported on the 2024 Totals for Traffic Stops (762), Citations (100), Calls for Service (653) and Reports (162). From December 18 – December 31: (32) Information Reports, (0) Alcohol Offenses, (0) Traffic Offense, (21) Traffic Warnings, (0) Criminal Offense Report, (0) Accident Reports, (0) Drug Offenses, (1) Warrant Arrests, (3) Traffic Citations, (23) Calls for Service; (0) Animal Citations.

Chief Mathies is still working on the Animal Control agreement with the City of Parker.

School Zone Lights are installed and operational. The lights function through a local Wi-Fi to set the schedules for the lights.

The Durango is back from repair and on schedule for new decals.

Goals for 2025 include: Decluttering the office, organizing the files and scanning in the historical file cases. Plans in 2025 for the vehicles is to make sure all vehicles contain identical equipment. Continued work on implementing Lexipol policy. Chief Mathies presented the consideration to convert the kennel to a building to provide better protection for animals being contained. Chief Mathies estimated a cost of \$15,000 - \$20,000 and stated there are grants available to help.

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

PWS Nasalroad has been preparing for incoming weather. PWS Nasalroad reviewed two purchase orders for tree removal which had been discussed earlier in the year but weren't completed until recently.

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

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

##### **PURCHASE ORDER NO 2024-21 FOR DOUBLE EAGLE EXCAVATING IN THE AMOUNT OF \$4,675**

Purchase Order No 2024-21 for Double Eagle Excavating in the amount of \$4,675 for rotor rooting bathrooms at the City Park, cut up and haul out of large fallen Oak Tree, trimmed dead limbs in large tree above the little playground.



##### **Motion**

**Council Member Capp motioned to approve Purchase Order No. 2024-21 for Double Eagle Excavating in the amount of \$4675 for work performed at the City Park on the bathrooms and tree removal. Motion seconded by Council Member Mitzner, voted on, passed 3-0-1 (Council Member Brenneman abstained due to conflict of interest).**

##### **PURCHASE ORDER NO 2024-22 FOR DOUBLE EAGLE EXCAVATING IN THE AMOUNT OF \$9,850**

Purchase Order No 2024-22 for Double Eagle Excavating in the amount of \$9,850 for tree cutting and removal at the Oaklawn Cemetery.



##### **Motion**

**Council Member Capp motioned to approve Purchase Order No. 2024-22 for Double Eagle Excavating in the amount of \$9,850 for removal of (4) trees at the Oak Lawn Cemetery. Motion seconded by Council Member Mitzner, voted on, passed 3-0-1 (Council Member Brenneman abstained due to conflict of interest).**

##### **PURCHASE ORDER NO 2025-01 FOR ALLIANCE PUMP IN THE AMOUNT OF \$9,010 FOR A RAW WATER FLOW METER.**

Purchase Order No 2025-01 to Alliance Pump in the amount of \$9,010 to provide material and labor to install on 6" Flowmeter. Remove existing meter, cut the pipe, install uniflange, install new flowmeter, install new display and test operation of the meter.



##### **Motion**

**Council Member Mitzner motioned to approve Purchase Order No. 2025-01 to Alliance Pump in the amount of \$9010 for the installation of a new Raw Water Flowmeter. Motion seconded by Council Member Capp, voted on, passed 4-0**

Mayor Wilson commended PWS Nasalroad on the good job he has done this year maintaining the infrastructure and utility. Mayor Wilson recognized the many extra hours PWS Nasalroad has spent at the Water Plant maintaining the equipment.

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

On Monday, January 6, 2025, Rick Zingre (Architect) and a representative from Hofer and Hofer & Associates will do a walk thru prior to the end of the warranty period to address a couple of items. Fire Chief Nasalroad reminded patrons about safety use of electric heaters and to be sure to clean chimney's before starting fires.

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

#### **CITY CLERK – JODI WADE**

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

### **SPECIAL PROJECTS:**

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

The sludge removal has been completed from both cell #2 and cell # 3. The pay application will be presented at the next council meeting.

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

No new updates. Council Member Mitzner asked CC Wade to reach out to the State representatives to find out the status on the remaining funds.

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

PWS Nasalroad and CC Wade met with Ben Coltrane, MW Engineering Group, to review the next phase of water plant improvement. Funding will be reviewed and presented at the next meeting.

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

- a] **Utilities Committee:** CC Wade advised the committee to review the automatic annual 2.5% increase in water and sewer rates. It has been in place for at least 3+ years. The council may need to consider modifying it to being reviewed and determined annually as opposed to being an automatic increase based on the finances of the utility.
- b] **Street Committee:** None
- c] **City Facility Committee:** None
- d] **Public Safety Committee:** None
- e] **Employee Relations and Training:** None

Mayor Wilson asked the Council if any members would like to change from the current committee obligations. All council members stated to remain on their current committees.

### **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.

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### **UNFINISHED BUSINESS:**

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

PWS Nasalroad reviewed the continued condemnation process from March 2024 regarding the removal of the garage at 402 S Broadway Street. The Council had approved for the city (Public Works) to move forward with removal. Prior to starting the process for removal, PWS Nasalroad advised the council to review the current assessments on the property and the discussion held with the property owner. An offer was presented in August 2024 from the owner to deed the property back to the city in lieu of payment of assessments. The city did not accept the offer at that time. PWS Nasalroad presented some financials regarding the current status of the property tax and assessments charged to the property. The current total of assessments on the property were \$21,500 in which \$16,000 of that total were for the demolition of the home. The annual assessment amount for mowing the property averages around \$1500 - \$2000. PWS Nasalroad presented a rough estimate of \$4500 for the removal of the garage. Discussion was held by the council. Council Member Smith, Mitzner and Capp supported reaching out to the property owner to discuss the offer presented back in August. Council Member Brenneman was ok with contacting the owner but had some concerns for setting a precedence for others.

### **EXECUTIVE SESSION:**

#### **❖ Motion**

**Council Member Capp motioned to go in to executive discussion for 5-minutes for non-elected personnel for performance review and to return to the council table at 8:17pm. Motion seconded by Council Member Smith, voted on, passed 4-0. 8:12pm**

Others in attendance: CC Wade

### **OPEN SESSION RESUMED AT 8:17pm:**

#### **❖ Motion**

**Council Member Capp motioned to approve Lesli George-Mitzner for the position of Office Professional upon the completion of a preemployment physical and drug screening. Motion seconded by Council Member Smith, voted on, passed 3-0-1 (Council Member Mitzner abstained due to conflict of interest).**

### **UNFINISHED BUSINESS:**

#### **2025 PAYSACLE – 3% COLA – ADMINISTRATIVE POLICY #33**

CC Wade reminded the council of Administrative Policy #33 which was approved by Resolution No. 475 and established the wage amounts for new hires in 2025. The Employee scale had been updated to the new hire amount which included a 3% COLA. These new amounts were to become effective on January 1, 2025. CC Wade suggested to the council to do a motion to provide record of the implementation of the new employee scale.

#### **❖ Motion**

**Council Member Capp motioned to approve the January 1, 2025 employee scale set with a 3% COLA to be effective with the payroll period ending date of January 12, 2025. Motion seconded by Council Member Smith, voted on, passed 3-0-1 (Council Member Mitzner abstained due to conflict of interest).**

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### **UNFINISHED BUSINESS:**

#### **LINN COUNTY COMPACTOR DRAFT AGREEMENT**

CC Wade submitted an email to the County Commissioners regarding the questions from the last meeting about the permit and about detail information on the site preparations. No response has been received at this point from the Commissioners.

### **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 Smith, voted on, passed 4-0. 8:23p.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 2<sup>nd</sup> day of January 2025.