

Record of the Proceedings of the Governing Body
REGULAR MEETING

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October 19, 2022

REGULAR MEETING:

The La Cygne City Council met on Wednesday, October 19, 2022 at the La Cygne Community Building. Council Members present were: David Brenneman; Danny Curtis; and Thomas Capp. Absent: Keith Stoker, Jerome Mitzner and City Attorney Harding.

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

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

Pledge of Allegiance – Mayor Debra Wilson

MAYOR COMMENTS:

Mayor Wilson reviewed the following upcoming events:

- a] Trunk-or-treat on Broadway, Friday, October 28, 2022 from 6pm – 8pm. Participants are welcome to set up a vehicle to hand out candy.
- b] Hot dogs and Chili at Thayer Park, Monday, October 31, 2022 from 5:30pm – (?) hosted by the La Cygne Fire Department.
- c] Trunk-or-treat, Monday, October 31, 2022 at the Family Café and Christian Church.

Mayor Wilson read the following memorandum:

"I wanted to take a little time today to talk about processes and progress. This is the end of our third year together – and we have accomplished a lot in that time in January I will once again produce a year end report of those accomplishments. Of course, many things were made possible by people and groups who have since either retired or moved on to other things. You can't begin multiple infrastructure projects without years of tight budgets and laying back funds with the hopes of improvements in the future. We thank those people for these opportunities.

This council has committed to making use of the standing committees and those committee members have become the subject experts they have taken the time to prepare and review information so we save time in our meetings and workshops on those matters.

This is one of the first meetings where we are making use of our modified agenda we will see how it works and continue to fine tune as we go.

We have recently had some conversation in council meetings on the role of council members. I stated and I was only echoing statements from others including Councilman Mitzner that the council is not tasked with the day-to-day operations of our city or the supervision of the staff of the city we empower the city staff to do those tasks. You can also find more information on this in our La Cygne Governing Handbook.

The main goal and responsibility of the council as I understand it is this. To set good policies, to review articles and policies to make sure they are correct and something we can live with. To spend the money that the taxpayers have paid in to the city in a responsible way.

As a council we are not listening to various requests or issues and ruling on them depending on how we "feel" about the presentation or the persons speaking.

MAYOR COMMENTS CONTINUED:

Instead, we have a process that we follow and we deal in facts. Passion or feelings can inspire us to delve further into an issue but facts are what guides us and facts are the only things we can really consider together.

If we make good policy together it should never matter what the citizens name is or how long they have lived in the area. All people are subject to exactly the same policies and we are working to make sure that what it says in the books is what the council will stand behind so that our staff can confidently open those same books daily and answer questions from the citizens knowing that the books are accurate and truly reflect the considered and expert views of our governing body.

I do however want to be sure that we are placing the tools that our council needs to develop good policies in their toolbox. Is there is specific training that would make reviewing the policies a little easier?

So with that in mind I would like to ask that we go around the room and take a moment for each council member to share some or all of their answers to the questions I placed at each of your spots prior to this meeting.

1. What inspires you to run and to continue as a member of the Governing body?
2. What tasks do you like to do?
3. What tasks or conversations are less appealing or uncomfortable?

Council members presented comment on the questions from the mayor.

CONSENT AGENDA:

❖ Motion to approve Consent Agenda:

Council Member Capp motioned to accept the Consent Agenda as presented.

Minutes of October 5, 2022 City Council Meeting;
2022 September Budget Report;
2022 September Treasurer's Report;
3rd Quarter Financial Report;
Check Register: October 6, 2022 – October 19, 2022;

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

DISCUSSION FROM THE FLOOR:

NONE

REPORTS OF CITY OFFICERS:

CITY ATTORNEY – BURTON HARDING: NONE

POLICE CHIEF – TINA FENOUGHTY :

Business as usual.

REPORTS OF CITY OFFICERS CONTINUED:

CODES OFFICER – ALLISON FOX :

Report from 10/05/2022 – 10/19/2022

Code Letters:

- Nuisance (12) Corrected (20) Still in Progress (4) Citation (0) New
- INOP
- GRASS/WEED
- WORK ORDER

Permits:

- 310 N. 4th Street – Building Permit – Letter signed. Waiting for survey
- 712 Locust – Building Permit – Building a shed. Needs to get a boundary adjustment to comply with city setback requirements. Still waiting for update from owner.
- 413 S. 1st – Building Permit – New home with garage – waiting for survey from owner.

Projects:

- House numbers – Looking in to grants and working with department heads.
- Lindentree Apartments – The issues are being resolved but will take a few months to be completed.
- Trailer Parks – Owner had some small issues taken care of at the Broadway Park. Owner is working with a company to remove the existing homes.
- Codes Book – Updating a few sections of the book.

Other:

- Codes safety vest will be ordered.
- Looking into positive projects/programs that codes enforcement can do for the residents of the city.

PUBLIC WORKS SUPERINTENDENT – DAN NASALROAD : NONE

FIRE DEPARTMENT – DAN NASALROAD: Reminders of public safety during trick-or-treating. Council Member Curtis inquired about the fire radios. Chief Nasalroad indicated the radios work just can't hear Sheriff's office.

CITY CLERK – JODI WADE: NONE

CITY TREASURER – CONNIE GORE: NONE

SPECIAL PROJECTS:

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

The water treatment plant will be shut down on October 19, 2022 while Starbuck Trucking, LLC will be completing the final connection to the settling pond and some maintenance work will be performed.

SEWER REHABILITATION PROJECT (BG CONSULTANTS)

NOWAK Construction brought in 2 more crews to work on the relining process. Public notification was put on the Facebook page, website, Front desk and business email regarding the increase of road closure and equipment traffic throughout town for the next 3 weeks.

SPECIAL PROJECTS CONTINUED:

STREET PROJECT – KDOT CCLIP PROJECT AT KS HWY 152 AND INDUSTRIAL BLVD (KDOT/KILLOUGH CONSTRUCTION/CFS ENGINEERING)

KDOT Notice of Acceptance of Portion of Contract was signed on October 17, 2022 and emailed to KDOT.

NEW FIRE STATION/PUBLIC SAFETY BUILDING

BG Consultant-Client Agreement in the amount of \$5600 for civil engineering services to prepare drawings and specifications for exterior improvements surrounding the fire station building. Drawings provided will include side plan/grading plan and a utility plan for water and sewer service.

❖ **Motion**

Council Member Capp motioned to approve the Consultant-Client Agreement with BG Consultants for the Fire Station Site Improvement plans at 219 S. 4th Street in the amount of \$5600. Motion seconded by Council Member Curtis voted on, passed 3-0.

WATER TREATMENT PLANT ANALYSIS:

Dan Coltrain, MW Engineering, is still working on the Water Treatment Plan Master Plan. PWS Nasalroad spoke to Dan Coltrain on the progress. Dan Caltrain is waiting on information from the city staff.

STORMWATER MASTER PLAN (BG CONSULTANTS):

CC Wade emailed the received completed surveys to Abby Mills, BG Consultants, for review. BG Consultants will work on putting together a town hall community meeting in the beginning of 2023.

602 N. 5TH STREET:

Discussion was held at the October 12, 2022 Planning & Zoning meeting regarding the subdivision process. CC Wade will have maps made of the lot so the commissioners can begin to review the lot to determine the number of lots and sizes.

COUNCIL COMMITTEE REPORTS:

WATER & GAS -

Gas project in the alley between Chestnut and Locust and between Broadway and 4th Street has been completed. Gas meters were moved to the houses.

STREET - NONE

SEWER - NONE

PUBLIC SAFETY - NONE

COMMUNITY BUILDING - NONE

EMPLOYEE RELATIONS & TRAINING -

CC Wade will give the committee a copy of current pay scales which expire on December 31, 2022 to review.

COUNCIL COMMITTEE REPORTS CONTINUED:

CEMETERY –

Display board is complete, concrete pad was poured at the base of the board. PWS Nasalroad is getting quotes for a concrete parking area in front of the board. Council Member Curtis thanked Peoples Telecommunications crew, Council Member Brenneman, La Cygne Public Works crew, Bob Curry, Carol Stainbrook and Judy Wier for volunteering their time to help with this project. Mayor Wilson thanked Council Member Brenneman and Council Member Curtis for all of their hard work.

PARK-

Winterization is complete.

SPECIAL COMMITTEE REPORTS:

EMERGENCY MANAGEMENT- NONE

CHAMBER OF COMMERCE -

1. Trunk or Treat on Broadway – October 28, 2022, 6pm – 8pm
2. Community Thanksgiving Dinner – November 19, 2022 at the Christian Church. Donations are welcome to help cover the cost for the turkeys which amounted to \$1200. The Chamber of Commerce has donated \$500 to help.

PLANNING & ZONING COMMISSION (PZC) - IBTS presented the draft Comprehensive Plan. Jennifer will make the revisions as indicated by the commissioners. Discussion was held regarding another workshop to include both the council and commissioners to review the draft comprehensive plan as revised. It was suggested to aim towards January 2023 to host a townhall meeting for the public to review the plan.

OTHER BUSINESS:

a] Ordinance No. _____ amending Chapter 1. Administration, Article 2. Governing Body, Section 1-202(a). Meetings of the Code of the City of La Cygne, Kansas. This ordinance would establish the regular meeting of the governing body to be held on the first and third Wednesday of the month at 7:00pm.

❖ **Motion**

Council Member Capp motioned to approve Ordinance No. 1504 amending Chapter 1, Article 2, Section 1-202(a) Meetings, establishing the regular meeting of the governing body to be held on the first and third Wednesday of the month at 7:00pm. Motion seconded by Council Member Curtis voted on, passed 3-0.

b] Reassignment of the Ground Lease agreement for the 40' x 40' lease area situated in Lot 6, Linn County Industrial Park. Known as 419 S. 5th Street. Vertical Bridge Development, LLC, a Delaware limited liability company is the new tenant requesting assignment. **TABLED UNTIL THE NOVEMBER 2, 2022 MEETING.**

c] 2022 Amended Budget Notice of Budget Hearing for November 16, 2022 at 7:00pm. CC Wade reviewed the amended funds in the 2022 Budget to include Water Utility Fund and Solid Waste Fund. The Capital Outlay of the Water Utility Fund was increased to \$400,000 to cover the cost for the

OTHER BUSINESS CONTINUED:

Settling Pond Improvement project. The Solid Waste revenue and expense lines were adjusted to cover the increased costs in users of the Waste Management trash services.

❖ **Motion**

Council Member Capp motioned to approve the Notice of Budget Hearing for Amending the 2022 Budget on November 16, 2022 at 7:00pm. Motion seconded by Council Member Curtis voted on, passed 3-0.

EXECUTIVE SESSION:

❖ **Motion**

Council Member Brenneman motioned to go in to executive session for 15-minutes for non-elected personnel for an individual employee's performance and will return to the Council table at 7:52 p.m. Motion seconded by Council Member Curtis voted on, passed 3-0. 7:37 p.m.

Others in attendance included, but not limited to: None

OPEN SESSION RESUMED AT 7:52 p.m.

EXECUTIVE SESSION:

❖ **Motion**

Council Member Capp motioned to go in to executive session for 5-minutes for non-elected personnel for an individual employee's performance and will return to the Council table at 7:59 p.m. Motion seconded by Council Member Curtis voted on, passed 3-0. 7:54 p.m.

Others in attendance included, but not limited to: None

OPEN SESSION RESUMED AT 7:59 p.m.

UNFINISHED POLICY REVIEW: Policy review was tabled until the November 2, 2022 meeting since not all council members were present.

ARTICLE 18 DRAFT FACTORY BUILT HOME DISTRICT

ARTICLE 22 DRAFT OFF-STREET PARKING REGULATIONS

LA HARPER HEIGHTS WATER VALVE REPLACEMENT

ARTICLE G. DISCIPLINE – EMPLOYEE POLICY AND PROCEDURES

WATER AND SEWER RATE ANALYSIS

ATV/UTV REGULATIONS

CHAPTER 11. PUBLIC PROPERTY, ARTICLE 2. PARKS AND CAMPING

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UNFINISHED POLICY REVIEW CONTINUED:

ARTICLE 5. PARKING

ETHICS AND CUSTOMER SERVICE TRAINING

SOCIAL-MEDIA POLICY

CHAPTER 6. FIRE, ARTICLE 2. FIREWORKS

BNSF QUIET ZONE

NOTES AND COMMUNICATIONS TO COUNCIL:

None

GOVERNING BODY REMARKS:

NONE

ADJOURNMENT:

❖ ***Motion***

Council Member Capp moved to adjourn the meeting. Motion seconded by Council Member Curtis, voted on, passed 3-0. Time 8:04p.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 October, 2022.