

Record of the Proceedings of the Governing Body
REGULAR MEETING

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April 20, 2022

REGULAR MEETING:

The La Cygne City Council met on Wednesday, April 20, 2022 at the La Cygne Community Building. Council Members present were: David Brenneman; Keith Stoker; and Jerome Mitzner. Absent: Debra Wilson; Thomas Capp; Danny Curtis; and Burton Harding.

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

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

Pledge of Allegiance – Council Member Jerome Mitzner

❖ **Motion**

Council Member Brenneman motioned to appoint Council Member Jerome Mitzner as the presiding Council President for tonight's council meeting in absence of Mayor Wilson and Council Member President Curtis. Motion seconded by Council Member Stoker voted on, passed 3-0.

MAYOR COMMENTS:

a] Thank you to the Chamber of Commerce, La Cygne Library, Ray of Hope, Janette Bennett, New Life Baptist Church, the National Honor Society Students, La Cygne Fire and Police Department, and of course the Easter Bunny for a wonderful Easter Egg Hunt in the La Cygne Community Park. We thank all of the community members who braved the cold wind to enjoy a little easter fun!

b] Thank you to the Louisburg Animal Clinic, the La Cygne Police Department and the La Cygne City staff for hosting the annual Dog Days in the La Cygne Community Park. We appreciate the 45 community members who took the opportunity to get their dogs vaccinated and tagged.

CONSENT AGENDA:

❖ **Motion to approve Consent Agenda:**

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

Minutes of April 6, 2022 Council Meeting;
March 2022 Budget Report;
March 2022 Treasurer's Report;
1st Quarter 2022 Financial Statement;
2021 Annual Financial Statement;
Check Register: April 7 – April 20, 2022;

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

DISCUSSION FROM THE FLOOR:

Jackie Pribble – 109 N. 2nd Street was listed on the agenda but was not present at the meeting.

SPECIAL PROJECTS:

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

No updates at this time.

SEWER REHABILITATION PROJECT (BG CONSULTANTS)

BG Consultants will host a pre-construction meeting on Tuesday, April 26, 2022 at 11:00am at the La Cygne Community Building for the City of La Cygne and NOWAK Construction to review and discuss the upcoming sewer project.

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

a] Killough Construction participated in a ZOOM meeting with members of the Lincoln Scott Township Board and CC Wade. An agreement was presented to Lincoln Scott Township confirming the use of their vacant lot on the SE corner of Market St and Industrial Blvd as a staging area and temporary road for the KDOT CCLIP project. Upon completion of the project, Killough Construction will restore the property to its original state by grading and reseeding/mulching the disturbed area. CC Wade has also received a letter of confirmation from the insurance carrier of Killough Construction confirming liability coverage would be covered by Killough.

PWS Nasalroad stated Killough Construction will put the temporary road in service tomorrow, April 21, 2022 pending the weather. Signage will be put in place directing the traffic to the temporary road.

b] CFS Engineering Payment Voucher for work performed from February 26, 2022 through April 1, 2022 in the amount of \$5,946.55.

❖ **Motion**

Council Member Stoker motioned to approve as to form the Payment Voucher for CFS Engineering for work performed February 26, 2022 through April 1, 2022 in the amount of \$5,946.55. Motion seconded by Council Member Brenneman voted on, passed 3-0.

NEW FIRE STATION/PUBLIC SAFETY BUILDING

CC Wade is working with Kevin Cowan with Gilmore & Bell regarding the process pertaining to revenue bonds through the Public Building Commission.

ARPA (AMERICAN RESCUE PLAN ACT)

CC Wade has filed the first annual report for the City of La Cygne for the ARPA funds which have been received to date. Just a reminder the eligible costs must have been incurred during the period of March 3, 2021 – December 31, 2024 and the funds must be expended by December 31, 2026.

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SPECIAL PROJECTS CONTINUED:

STORMWATER MASTER PLAN

BG Consultants Client Agreement for Stormwater Master Plan. **Tabled until the May 4, 2022 meeting.**

REPORTS OF CITY OFFICERS:

CITY ATTORNEY –BURTON HARDING:

- Reviewed Article 18 for Manufactured Homes.
- Reviewed and spoke with Jodi Re: letter for temporary access road.
- Reviewed KDOT CCLIP project agreement.
- Correspondence with BG Re: sanitary sewer project.
- Dialogue with Jackie Pribble and her attorney.

POLICE CHIEF – TINA FENOUGHTY :

12- Traffic Stops Conducted

Citations issued since last meeting - 8

Speed School Zone	6	Registration Viol	0
Suspended License	1	No Tag	1
Insurance	0	NO DL	0
Speed Construction Zone	3	Speed	0
Vicious Dog/RAL/Tag	5	Paraphernalia	0
Illegal Burn	1	Equipment	0

Calls for Service / Reports – 4/05/22 thru 04/20/22

Animal Complaint – 10	Traffic Complaints - 3
Assist Outside Agency – 4	Sexual Assault – 0
Internet Crime – 1	Citizen Assist CFS / contact - 23
Fingerprints – 0	Juvenile Incident – 1
Check Welfare – 1	Federal Record Checks- 1
Follow Up – 24	Theft - 1
Suspicious Activity – 2	Civil Matter – 1
Vehicle Lockout – 3	Drug Case- 0
Unattended Death – 1	Non-Injury Accident – 1
911 Hang Up – 0	Fire Call – 2
Disturbance – 4	Warrant Attempt - 1
Felony Warrant – 0	Misdemeanor Warrant - 0

VIN Inspections- 1 completed

New Business – None at this time.

Accrued Overtime for Department – 1 hour

REPORTS OF CITY OFFICERS CONTINUED:

CODES ENFORCMENT – ALLISON FOX:

a] UTV/ATV Information was presented by Officer Fox which described each type of vehicle. Officer Fox reviewed comparisons of rules and regulations for other nearby cities. Officer Fox also showed a registration sticker program utilized by the City of Linn Valley. Officer Fox asked the Council to review the information and let her know if they have any questions or concerns. The estimated costs for rolls of registration stickers would be approximately \$297.50/roll of 200 stickers.

b] Officer Fox reviewed the current code letter spreadsheet.

c] Officer Fox presented a question to the council members regarding how to proceed with patrons who build something prior to getting a building permit. Per the existing City Code the Codes Officer can issue a \$500/day penalty for each day without a permit. Council Member Stoker stated his opinion is for the Codes Officer to give the patron a chance to get it right and proceed to the City Hall to get the building permit immediately. CC Wade asked for ideas of how to get information to the patrons regarding the requirement for building permits. CC Wade asked if permanent items are installed which do not meet the setbacks or regulations of the codes and the individual did not get a building permit, then would the requirement be for the patron to move the item? Council Member Mitzner also asked about the time it takes to review an application and to issue the permit. Council Members decided to table the question to the May 4, 2022 meeting in order to have the full body of the Council present to discuss.

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

Report from 4/7/22 to 4/20/2022

Committee Discussions

Water and Gas:

- Water plant evaluation is continuing.
- No update on the pre-sedimentation pond project.

Street:

- Cold patch has been ordered.
- CCLIP project is moving along, temporary road diversion should be opened tomorrow.

Sewer:

- Pre-construction meeting 4-26-2022 at 11am at the La Cygne Community Building.
- Researching mower options.
- Lagoon chemicals have been delivered.
- 617 N. 6th Street Sewer service line repair. PWS Nasalroad presented an invoice from Inscore Construction in the amount of \$6,500. The sewer service line for 617 N. 6th Street was bored through with the water service line for 617 N. 6th St by the contractor who performed the water improvement project. Discussion was held regarding the amount of the bill. The Council asked PWS Nasalroad to reach out to the contractor for discussion. PWS Nasalroad indicated the City could do the cold patch.

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REPORTS OF CITY OFFICERS CONTINUED:

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

Report from 4/06/22 to 4/20/2022

Park:

- Mowing has started.
- Men's urinals have been installed and the shower house bathroom is open.
- Pool plumbing is scheduled for April 27, 2022.
- Application review.

❖ **Motion**

Council Member Mitzner motioned to go in to executive session for 15-minutes for non-elected personnel review application for Public Works Laborer 2 position and will return to the Council table at 7:55p.m. Motion seconded by Council Member Stoker voted on, passed 3-0. 7:40p.m.

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

OPEN SESSION RESUMED AT 7:55p.m.:

❖ **Motion**

Council Member Mitzner motioned to hire Richard Saucedo upon completion of a preemployment physical and drug screening for the Public Works Laborer 2 position at the pay rate of \$14.50/hour and insurance for Employee +1 at a 70/30 split. Motion seconded by Council Member Stoker voted on, passed 3-0.

Cemetery:

- Mowing has started.

FIRE DEPARTMENT – DAN NASALROAD:

- Tires have been installed on E31.

CITY CLERK – JODI WADE:

None

CITY TREASURER/COURT CLERK – CONNIE GORE:

None

COUNCIL COMMITTEE REPORTS:

WATER & GAS - NONE

STREET -NONE

SEWER-NONE

PUBLIC SAFETY -NONE

- ✓ Mobile/Manufactured/Modular Home Code **(Tabled until the May 4, 2022 meeting)**.
- ✓ Council Member Mitzner reviewed the benefit of having consistent home address numbers for each parcel in the City of La Cygne for Emergency purposes.

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COUNCIL COMMITTEE REPORTS:

COMMUNITY BUILDING-

Council Member Brenneman has been doing some research on the use of the community building and would like to meet with Council Member Capp to review information.

EMPLOYEE RELATIONS & TRAINING-NONE

CEMETERY – NONE

PARK-

- Blast in the Park is scheduled for July 9, 2022.
- Park Board meeting has been changed to the last Thursday of the month at 5:00pm due to conflicts with members work schedules.

SPECIAL COMMITTEE REPORTS:

EMERGENCY MANAGEMENT - NONE.

CHAMBER OF COMMERCE - NONE

PLANNING & ZONING COMMISSION (PZC) - NONE

UNFINISHED BUSINESS:

RESOLUTION NO. A RESOLUTION OF THE CITY OF LA CYGNE REGARDING EMPLOYEE COVID-19 PREPARATION & PREVENTION POLICIES TO BE ADDED TO THE ADMINISTRATIVE POLICIES OF THE CITY OF LA CYGNE

❖ **Motion**

Council Member Stoker motioned to approve Resolution No. 443 a resolution of the City of La Cygne, Linn County, Kansas regarding employee COVID-19 preparation & prevention policies to be added to the Administrative Policies of the City of La Cygne. Motion seconded by Council Member Brenneman voted on, passed 3-0.

WATER AND SEWER RATE ANALYSIS PROPOSAL FROM CARL BROWN

Tabled until receipt of the water treatment plant analysis.

NEW BUSINESS:

CODES ENFORCEMENT OFFICER/ZONING ADMINISTRATOR PERMANENT PART-TIME POSITION. JOB DESCRIPTION.

❖ **Motion**

Council Member Brenneman motioned to table the codes enforcement officer/zoning administrator permanent part-time position until the May 4, 2022 Council Meeting. Motion seconded by Council Member Stoker voted on, passed 3-0.

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NEW BUSINESS CONTINUED:

DIEHL, BANWART, BOLTON, CPA PA REPRESENTATION LETTER TO THE MAYOR AND COUNCIL FOR REVIEW FROM THE FINANCIAL AUDIT FOR 2021.

No discussion or comments.

❖ **Motion**

Council Member Mitzner motioned to approve for Mayor Wilson to sign the representation letter from Diehl, Banwart, Bolton CPA firm for the 2021 Financial Audit report. Motion seconded by Council Member Brenneman voted on, passed 3-0.

EXECUTIVE SESSION:

NONE

OTHER BUSINESS:

NONE

NOTES AND COMMUNICATIONS TO COUNCIL:

NONE

GOVERNING BODY REMARKS:

NONE

ADJOURNMENT:

❖ **Motion**

Council Member Stoker moved to adjourn the meeting. Motion seconded by Council Member Brenneman, voted on, passed 3-0. Time 8:26 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 20th day of April, 2022.