

Record of the Proceedings of the Governing Body

REGULAR MEETING

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JUNE 4, 2025

REGULAR MEETING:

The La Cygne City Council met on Wednesday, June 4, 2025 at the La Cygne Community Building. Council Members present were: Jerome Mitzner; David Brenneman; Keith Stoker; Thomas Capp and Ed Smith

Others in attendance included, but not limited to: City Attorney Jeff Deane; Public Works Superintendent (PWS) Dan Nasalroad; City Clerk (CC) Jodi Wade; Police Chief Zachary Mathies; Linn County Newspaper, Tony Furse; and Linn County Journal, Roger Sims; KMGa Representatives, Darren Prince and Dixie Riedel.

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

Pledge of Allegiance by Mayor Debra Wilson

MAYOR COMMENTS:

- a. La Cygne Farmer's Market will start June 13, 2025 and will be open certain Friday's from 5:00pm – 7:00pm until August 2025.

CONSENT AGENDA:

❖ Motion to approve Consent Agenda:

Council Member Capp motioned to accept the Consent Agenda.

Minutes of the May 21, 2025 Council Meeting;

Check Register: May 17, 2025 – June 4, 2025;

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

DISCUSSION FROM THE FLOOR:

JAKOB ERDMANN

Civil Engineer with EEI (Earles Engineering & Inspection) introduced himself and the company to the council. Jakob is currently in the Overland Park area but plans to settle in around the Louisburg area. Jakob shared the objectives and recent projects handled by his company. The company provides civil engineering, inspection, and surveying. They serve as the City Engineer for five (5) cities. Jakob provided contract information for any future projects the city addresses.

OSCAR MARTINEZ (OWNER OF QUIK TACO)

Oscar addressed the council with his concerns regarding the allowance of Mobile Food Trucks within the city limits. As a restaurant owner who is paying property taxes and utilities for owning a permanent business in the city, it was frustrating to have a mobile food truck park across the street from his business. Mayor Wilson asked if we had any limitations on the number of days a mobile food truck can be set up in the city. CC Wade stated there was no limit. CC Wade stated a truck with a permit and permission from the property owner can park on any Commercial, Industrial or Public lot per the current policy. Council Member Capp asked what time range was the mobile food truck at the lot. Oscar indicated 10:30am – 4:30pm. The council will put mobile food trucks on the next agenda for review. Mayor Wilson thanked Oscar Martinez for coming in to address the concern with the council.

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REPORTS OF CITY OFFICERS:

POLICE CHIEF ZACHARY MATHIES

Chief Mathies reported on the 2025 Totals for Traffic Stops (283), Citations (36), Calls for Service (234), District and Building Checks (290) and Reports (81). From March 19 – April 1: (5) Information Reports, (0) Alcohol Offenses, (3) Traffic Offense, (50) Traffic Warnings, (1) Criminal Offense Report, (0) Accident Reports, (5) Drug Offenses, (1) Warrant Arrests, (11) Traffic Citations, (17) Calls for Service; (0) Animal Citations; (23) UTV Reg. Total.

July 1st, is the start of the 2026 training year for LE. Training hours (40) have been completed.

Canine Distemper cases, urging community to keep their pet vaccinations up-to-date. The police have addressed four (4) raccoons to date which were suffering from Canine Distemper.

Durango is getting new tires (\$534.44) and a leak in the roof diagnosed/repaired at Multiplicity.

PURCHASE ORDER NO. PS2025001 IN THE AMOUNT OF \$4515.18 FOR REPEATER/LICENSE

Police Chief Mathies reviewed the quote from KC Wireless for (2) Kenmore digital repeaters. The purchase would provide better reception for both public safety entities (Police and Fire) when inside buildings. One would be placed on the city's tower and one on the City of Linn Valley's tower. Police Chief Mathies said this purchase is in coordination with Chris Martin with Linn County who would assist with installation. Police Chief Mathies indicated there would some additional purchases a little later, amounting to around \$1,000 but the bulk is being purchased now before prices increase.

❖ Motion

Council Member Capp motioned to approve Purchase Order No. PS25001 in the amount of \$4,515.18 for two (2) Kenmore Repeaters for the Police/Fire, funds coming from Equipment Reserve of the Police and Fire. Motion seconded by Council Member Smith, voted on, passed 5-0.

CODES OFFICER DEVIN CANADA

Chief Mathies reviewed the Codes Enforcement Officer report for the month of May to include: (27) In progress; (16) Vegetation; (25) Verbal/door hanger; (26) Resolved; (3) Nuisance; (2) Letters; (2) Codes Letters; (4) In Op Vehicle; (1) New; (6) Other.

Animal Control: (2) Dogs At Large Calls; (1) Impounded; (1) Returned; (0) Transferred.

PUBLIC WORKS SUPERINTENDENT (PWS) DAN NASALROAD

The crew has been working on getting all the parks and lots mowed. The pool opened last weekend and is up and running well. USDI repaired two gas leaks. PWS Nasalroad has been researching cold patch available in buckets to allow for better storage. Currently the cold patch is delivered and dumped as a pile in the yard. Over time the oil dries up and the patch material is not as affective.

Starbucks Trucking, LLC delivered most of the supplies for the water plant maintenance improvement project. They plan to start next week in the basement area of the plant since it is too wet to conduct the external work.

During the recent storm events, the crew has been working on culverts to keep things open and flowing.

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REPORTS OF CITY OFFICERS CONTINUED:

FIRE CHIEF - DAN NASALROAD

A replacement vehicle for the Trailblazer has been found and purchased. A 2015 Chevrolet Tahoe will be delivered this next week. It is equipped with the lights and radio equipment.

Fire Chief Nasalroad, Public Safety Committee Member Thomas Capp, and City Clerk Wade attended a Linn County Commissioner Workshop to discuss Automatic-Aid and Mutual-Aid Agreements and communication amongst the departments and dispatch. It was a good meeting and productive. The County Counsel is preparing the draft Automatic-Aid agreement discussed at the meeting to be submitted to the Fire Departments and/or governing bodies for review.

CITY CLERK - JODI WADE

CC Wade attended the Linn County Commissioner workshop, a meeting with First Option Bank and various meetings through the week with each software company and IT company. All schedules are moving forward nicely for all software programs. We are on schedule for the Chronicle Cemetery program to go live in June/July; Tyler Tech (court software) as soon as the server is rebuilt it is ready to be installed; and Edmunds Gov (Financial Program) is scheduled to go live around March/April 2026.

CC Wade briefly reviewed the estimated costs from MDL technologies for the Hardware updates of the server and migrating the email to Microsoft 365. An approximate cost of \$15,000 is expected. CC Wade asked Council Member Smith if he could review the information provided from MDL for suggestion regarding the cybersecurity programs.

SPECIAL PROJECTS:

SEWER REHABILITATION PROJECT (BG CONSULTANTS)

BG Consultants is waiting on USDA to complete the review of the Lift Station improvements. Once approval is received the request for bids will be issued.

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

No update on the status of reimbursement.

WATER TREATMENT PLANT IMPROVEMENTS:

No updates

STORMWATER MASTER PLAN/STREET IMPROVEMENT MASTER PLAN

Workshop was held on May 28, 2025. The governing body reviewed the stormwater project for 4th Street and Broadway Street. The council would like CC Wade to work with Abby Mills, BG Consultants to begin the process regarding easements and preparing a PER and bid documents for the project. The council would also like BG Consultants to prepare an estimated cost for stormwater improvement at Broadway and Chestnut Street.

Mayor Wilson went through the Zoning Regulations/Sub-Division Regulations and City Code book to find any current regulation regarding ditches, stormwater, easements, and natural creek ways. Mayor Wilson stated there was not very much information but it is a start.

Council Member Stoker apologized for missing the workshop. He asked about some small "quick fix" projects which could help in some of the troubled areas. Further discussion was held on the lack of equipment, no transit or ditch bucket. Council Member Capp and Mitzner expressed the hopes with initiating on the two projects on 4th Street and Broadway, the council would have the opportunity to experience and learn the process for easements, the ability for the city to clean and maintain the natural creek way and the difference with the larger culverts being installed.

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SPECIAL PROJECTS CONTINUED:

CITY FACILITY IMPROVEMENT (CITY HALL, POLICE DEPARTMENT, COMMUNITY BUILDING)

CC Wade is working on the RFQs for consultants. Mayor Wilson indicated other projects have taken priority and time away from the city clerk to be able to focus on moving forward with this project.

CITY OF LINN VALLEY WATER CONNECTION

An on-site preconstruction meeting has been scheduled for Tuesday, June 10 at 9am with BG Consultants and the General Contractor. Mayor Wilson asked if the Utilities Committee needed to be present. PWS Nasalroad stated they are welcome to attend if they want, this meeting will be to review the schedule sequence for the connection site in La Cygne which is where the LVL water transit pipe project will begin.

REPORT OF COUNCIL COMMITTEES:

a] **Utilities Committee:** None

b] **Street Committee:** None

c] **City Facility Committee:**

LA CYGNE CAMPGROUND INFORMATION

CC Wade asked the council about a Cancellation Policy for Camping in the La Cygne Community Park. The current information form had nothing on there regarding refunds. A suggestion was presented of a "Full Refund up to 14-days prior to the reservation date" The Council also discussed the Maximum days for a daily camp permit. Council Member Capp suggested modifying the line for daily camping rate to read "Maximum of 14 Daily permits purchased consecutively in a 30-day period."

❖ Motion

Council Member Capp motioned to add a cancellation policy of a full refund up to 14-days prior to reservation date and to modify the wording for the daily camping permits to allow up to 14 consecutive days within a 30-day period. Motion seconded by Council Member Brenneman, voted on, passed 5-0.

d] **Public Safety Committee:** None

e] **Employee Relations and Training:** None

SPECIAL COMMITTEE REPORTS:

EMERGENCY MANAGEMENT: None

PLANNING & ZONING COMMISSION (PZC): None

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RECESS:

❖ **Motion**

Council Member Capp motioned for a 7-minute recess to prepare documents for the KMGa presentation and to return to the council table at 7:45pm. Motion seconded by Council Member Brenneman, voted on, passed 5-0. 7:38pm

UNFINISHED BUSINESS:

22768 QUERRY ROAD REGARDING RIGHT OF WAY EASEMENT

City Attorney Deane updated the council regarding the concern brought to the Council from Ms. Smith pertaining to the right of way easement through her property. The easements for a roadway from the North Water Tower to Query Road were presented to Ms. Smith showing the city paid for the easement in 1976 and the legal from the property located at 22768 Query Road was modified to read "Lot 36 except road". City Attorney Deane made it clear to Ms. Smith that technically the city has been providing privilege to the owners of 22768 to use the road as their driveway access to the home. Attempts were made by Chief Mathies to serve the letter to Ms. Smith which was eventually mailed. Ms. Smith stopped by the City Hall and had a brief conversation with Chief Mathies, no further concerns were expressed from Ms. Smith.

402 S. BROADWAY CONVEY DEED IN LIEU OF COLLECTIONS

City Attorney Deane confirmed the owner of 402 S. Broadway, Ms. Duncan, did sign the agreement to convey deed for the property of 402 S. Broadway in lieu of collections. City Attorney Deane is completing the Quit Claim deed for signature. City Attorney Deane asked CC Wade to begin the process with the Collection Bureau of Kansas to remove the assessed invoices from collections.

NEW BUSINESS:

KMGa Representatives, Darren Prince and Dixie Reidel, introduced themselves to the governing body and thanked them for the opportunity to work on the review of the gas fund and gas rates. Darren went through sections within the Gas Utility Retail Rate review. He pointed out sections of the 5-year Historical Operating Statement, identifying the number of days of cash on hand the Utility has in the fund. The typical minimum is 180 days or around 250-270 for bond acquirement. The current average for the city is around 898 DOCOH. Darren also reviewed the impacts of winter Storm Uri in the years 2021 and 2022.

Next Darren reviewed the Forecasted Operating Statement, providing outlook over the next 5 years. Accounting for an average of 5% CPI increase and a 3-5% for growth in use, Darren forecasted the fund would continue to maintain the current balance with some increase over time. Also, the forecast still shows an average DOCOH of 744 days.

Darren asked the council to then review the Gas Utility Retail Rate Design proposal. Darren created a spreadsheet showing the current set up of the gas rates for within the city, outside city limits but within 3-mile, and outside the 3-mile. Darren explained the difference in regulations for the outside city limits but within 3-mile customers and outside the 3-mile. Customers located outside the 3-mile can not be billed a rate higher then the customers located within the city limits. Customers outside city limits but within 3-mile are in "no-man's land" when it comes to regulation and therefore no restriction on the rate in comparison to those within the city limits.

Darren reviewed the proposed gas rate structure which eliminates having three different customer rates. Instead, every customer is charged a "Customer Charge" of \$10.00 for having a tap to the gas main. Each customer would also be charged a "Consumption Charge" per MCF and a "PGA

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(Purchased Gas Adjustment) Charge" per MCF (total of \$9.99/MCF). The PGA would fluctuate based on the purchased price for gas.

CC Wade walked through the difference between how the current rate is calculated in regards to the purchase price for gas. Mayor Wilson asked if the gas rates are in the City Codes Book to clarify an ordinance would be required to implement new rates.

All council members expressed their agreement with modifying the rate structure to a common rate across all locations. The council also felt comfortable with the budget as shown in the forecasted graph. CC Wade suggested allowing her to put the numbers in to the 2026 Budget worksheet to get an overview prior to moving forward with the Ordinances for change.

Further discussion was held regarding the reserve funds for the Gas Utility. The council and KMGa discussed the volatility in the industry but also reviewed the structures and processes which were modified after the Winter Storm Uri event. Dixie highlighted the progress made by onboarding with WoodRiver to enhance a balance for purchasing gas in a better format to prepare for winter storm days and extreme price hikes. The council discussed establishing a threshold in the Gas Reserve fund to ensure monies would be available if a winter storm event of extreme levels would occur again.

No further questions were asked by the Council. CC Wade will begin the work on the 2026 worksheet for the Gas Utility Fund and a draft Ordinance for implementing a gas rate change.

EXECUTIVE SESSION:

None

UNFINISHED POLICY REVIEW

DRAFT COMPANY VEHICLE USE POLICY

CHAPTER 5. BUSINESS REGULATIONS, ARTICLE 1. SOLICITORS, CANVASSERS, PEDDLERS

CHAPTER 3. BEVERAGES, ARTICLE 2 CEREAL MALT BEVERAGE AND ARTICLE 3. ALCOHOLIC LIQUOR

RENTAL READY PROGRAM (LANDLORD REGISTRATION)

ARTICLE 22: OFF STREET PARKING

NEW POLICY REVIEW:

ARTICLE 5. PARKING

SOCIAL-MEDIA POLICY

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. 8:39p.m.

I, _____ La Cygne City Clerk, do hereby declare
(Jodi Wade) the above to be true and correct, to the best of

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my knowledge, and do hereby subscribe my name
on this 4th day of June 2025.