

Record of the Proceedings of the Governing Body

REGULAR MEETING

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June 3, 2026

REGULAR MEETING:

The La Cygne City Council met on Wednesday, June 3, 2026, at the La Cygne Community Building. Council Members present: Robert Sullivan; Jerome Mitzner; Ed Smith; and Oscar Marino. ABSENT: Kent Wade

Others in attendance included but not limited to: City Clerk (CC) Jodi Wade; Police Chief Zachary Mathies; Public Works Director (PWD) Dan Nasalroad; City Attorney Jeff Deane; Linn County Newspaper, Barbara Proffit; Linn County Journal, Roger Sims; Andrea Kincaid (arrived around 7:20pm).

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

Pledge of Allegiance by Mayor Debra Wilson

PUBLIC HEARING – Condemnation of property located at 825 N 7th Street Court,

Unit A.

- a. Close regular meeting.
- b. Open Public Hearing for comments. Nobody was present.
- c. Close Public Hearing.

OPEN SESSION RESUMED AT 7:00pm:

CONDEMNATION OF PROPERTY LOCATED AT 825 N 7TH STREET COURT, UNIT A.

Chief Mathies approached the podium to present the "Expert Findings and Recommendations" which included a report from the investigation from an independent inspector, Randolph Finkle, with IBTS (Institute for Building Technology and Safety). Additionally, he presented the 92 photos on paper which had been previously presented to the council at the May 20, 2026 meeting. Chief Mathies provided his recommendation to order the property owner to obtain a structural engineering assessment, a full electrical evaluation, and all necessary permits and approvals to correct the identified deficiencies within a specified period. Chief Mathies further recommended that the structure remain unoccupied and disconnected from electrical services until such deficiencies are corrected and approved. Chief Mathies also recommended the Governing Body establish a compliance and review process, with the initial compliance period being no less than thirty (30) days from the date of the Governing Body's Order.

The Codes of the City of La Cygne sections were discussed by the governing body on the determination of a structure (e.g. dangerous, unsafe, or unfit for human use or habitation). City Attorney Deane walked the council through the definition/basis for consideration of market value and cost of repair. The council also inquired about how to create a "check-list" or how to insure quality craftsmanship is performed if the house meets requirements for repairs. City Attorney Deane discussed having a "Finding of Facts" document prepared to present to the property owner which would document an outline of the Decision/Order requested by the City. This document would also provide information referencing the continuance of review hearings to address the council on the progress of the repairs.

**CONDEMNATION OF PROPERTY LOCATED AT 825 N 7TH STREET COURT, UNIT A
CONTINUED.**

1. Repair, alteration or improvement of the structure can be made at a cost which shall not exceed 50% of the fair market value of the structure within the time specified.
2. Repair, alteration or improvement of the structure cannot be made at a cost of 50% or less of its fair market value, the owner shall, within the time specified in the order, remove or demolish the structure.

Andrea Kincaid, tenant and property manager (by power of attorney authorization from the property owner, Casey Kincaid) arrived and the governing body did allow her the opportunity to approach the podium even though the public hearing had been closed. Andrea expressed her concerns regarding the manner in which the articles in the newspapers pertaining to the fire and discussions held at the City Council meetings had perceived she was not taking in the consideration of the safety of her children. Andrea questioned why the electrical concerns had not been an issue prior to this since DCF and the local police had been in the household prior. Mayor Wilson reminded Andrea Kincaid this hearing was for determination of condemnation of the property and the governing body needs to know if she understands what the process will be going forward. Andrea stated she had been through this process for this property in the past and she understands the process. Andrea stated on record that she had already been in conversation with her insurance company regarding the units and due to the standing water/rain water exposure to the inside that both units would have to be fully gutted. Mayor Wilson thanked Andrea for attending the meeting and verified again that Andrea understood the condemnation process. Andrea concurred she understood.

Chief Mathies clarified for the governing body that temporary power was requested by the property owner for the purpose of operating submersible pumps and discussed with the insurance company. Temporary power was set up by Mr. Electric and the property owner was responsible for contacting Evergy to get power. The owner never contacted Evergy.

❖ **Motion**

Council Member Mitzner motioned to accept Chief Mathies recommendation for property found to be dangerous, unsafe, or unfit for human use or habitation based upon evidence provided on record tonight and included in the report provided by IBTS and that the owner/occupants be served with a written Finding of Fact Conclusion of Law that requires them to establish to the city's satisfaction the cost of the necessary repairs and that in 30-days if cost does not exceed 50% of the fair market value of the structure a further order of the city would allow/require repairs. If the cost for repairs exceeds 50% of the fair market value a further order of the city would require the removal and/or demolition of the structure by owner. The city may extend beyond the 30-day period if the current repairs are showing progress. Motion seconded by Council Member Marino, voted on, passed 5-0.

Chief Mathies suggested scheduling the review hearings for the 1st council meeting of each month starting with the July 1, 2026 meeting.

❖ **Motion**

Council Member Mitzner motioned to obtain the structural report from the insurance company handling the current claim for 825 N. 7th Street Court Unit A and B. Motion seconded by Council Member Smith, voted on, passed 4-0.

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MAYOR COMMENTS:

- a. Blast in the Park., July 11, starting at 6pm at the La Cygne Community Park. Wiener dog races will be held at 6pm at the tennis courts, band will start playing, vendors and family activities for all to enjoy. Council Member Marino asked about setting up a booth to provide information on the Sales Tax question for the November ballot. He offered to set up his canopy and man the booth for a while.

CONSENT AGENDA:

❖ Motion to approve Consent Agenda:

Council Member Smith motioned to accept the Consent Agenda.

Minutes of the May 20, 2026 Council Meeting;
Check Register up to: May 31, 2026;

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

DISCUSSION FROM THE FLOOR:

None

REPORTS OF CITY OFFICERS:

POLICE CHIEF ZACHARY MATHIES

Chief Mathies presented his monthly report: Traffic Stops (318), Calls for Service (322), District and Building Checks (1220), Reports (62), Citations (51).

From May 20 – June 2, 2026 : (5) Information Reports; (0) Alcohol Offenses; (1) Traffic Misd. Offenses; (8) Traffic Warnings; (1) Criminal Offense Reports; (21) Calls for Service; (0) Accident Report; (0) Drug Offense; (1) Warrant Arrests; (7) Traffic Citations; (0) Animal Citations; (51 Total)UTV Registration.

COMMUNITY DEVELOPMENT OFFICER ZACHARY MATHIES

Some grass nuisances have been addressed. Currently waiting for the return notice on a couple lots and then will proceed with Public Works mowing them.

PUBLIC WORKS DIRECTOR – DAN NASALROAD

PWD Nasalroad reported on the status of the repairs at the pool, plans to begin filling tomorrow night and through Friday. Crew has been busy mowing and trimming. Reminder to patrons to remove decorations that are not in a container attached to the headstone by June 15, 2026.

FIRE CHIEF – DAN NASALROAD

Fire Chief Nasalroad reported the new radios have been installed in the vehicles.

REPORTS OF CITY OFFICERS CONTINUED:

CITY CLERK – JODI WADE

CC Wade reported on the continued progress on the software. CC Wade had attended the annual Budget Workshop provided by the state and learned about the requirement to have all electronic/social media communication ADA compliant by 2028. The year of 2027 will be the last time to use the current excel workbook, the state is working on a new ADA compliant workbook. CC Wade confirmed with our website technician, Allyson James, regarding ADA compliance with the website. CC Wade will resource any training related to the ADA compliance policy to insure the city staff is trained on how to produce documents correctly.

SPECIAL PROJECTS:

STORMWATER MASTER PLAN/STREET IMPROVEMENT MASTER PLAN

- a. Council Workshop on June 18 at 6:00pm.
- b. Scheduling for meeting for Library Board, Council representative and BG Consultant. Reach out to Abby with BG Consultants about a maintenance agreement.
- c. Raymond James Financial Analysis for a \$2.5 million street project.

SEWER REHABILITATION PROJECT – SEWER LIFT STATION BIDS (BG CONSULTANTS)

City Attorney Deane provided the concurrence form to be included in contract. Contract has been sent to USDA for final approval.

WATER TREATMENT PLANT IMPROVEMENTS:

- a. Raymond James Financial Analysis for a \$4.5 million water project phase 3.
- b. La Cygne water plant revenue/expense/rate scenarios for a \$3.8 million loan from original discussions in 2023.

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

- a. Proposal from BG Consultants if the Governing Body wants to engage an engineering consultant on the project. Could ask the consultant if they would provide a set of basic specifications and the city could handle the bidding process and construction administration. Council Member Mitzner asked PWD Nasalroad if and/or staff if they felt they would have the time capability to monitor and administer the construction. The staff concurred they would be able to perform that task.

❖ **Motion**

Council Member Smith motioned to move forward with an engineering consultant to provide a basic set of specifications for the connection of the City Hall and Community Building as recommended by the Facility Liaisons. Motion seconded by Council Member Mitzner, voted on, passed 4-0.

CITY OF LINN VALLEY WATER CONNECTION

A final walkthrough of the west side of Robertson Road from KS Hwy 152 up to the City Limit line (tree line) is scheduled for June 22 at 3:00pm. This walkthrough will include the City of Linn Valley, BG Consultants, Hettinger Excavating, City of La Cygne and any property owner along that area.

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REPORT OF COUNCIL LIAISONS:

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

SPECIAL COMMITTEE REPORTS:

EMERGENCY MANAGEMENT: None

PLANNING & ZONING COMMISSION (PZC): None

LA CYGNE HOUSING AUTHORITY BOARD: CC Wade, Chief Mathies, and Mayor Wilson attended the board meeting today. It was a good start for discussion between both entities. CC Wade and Stephanie Haupt, property manager, will perform some research on the financial status of the bonds.

UNFINISHED BUSINESS:

CAMPING REGULATION DRAFT ORDINANCE.

Chief Mathies is working on the final draft.

DRAFT ARTICLE 2. PARKS AND POOL.

Chief Mathies presented a draft Chapter 11, Article 2. City Parks. Discussions were held regarding the following sections:

- 11-204: Fires in the Park. Discussion was held regarding the use of grills/fire rings when a burn ban was in effect. Council suggested to add wording referencing if Linn County had a burn ban in effect then no fires were permitted during that time period.
- 11-210(c): add Authorized Official
- 11-211(b) fix wording
- Check the numbering sequence.

Chief Mathies will make the corrections and prepare a draft ordinance for the next council meeting.

NEW BUSINESS:

None

EXECUTIVE SESSION:

❖ **Motion**

Council Member Smith motioned for an executive discussion for 5-minutes for non-elected personnel matter for an individual employee's performance and to return to the council table at 9:13pm. Motion seconded by Council Member Marino, voted on, passed 4-0. 9:08pm

Others in attendance: CC Wade and City Attorney Deane.

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OPEN SESSION RESUMED AT 9:13pm:

EXECUTIVE SESSION:

❖ **Motion**

Council Member Smith motioned for an executive discussion for 5-minutes for non-elected personnel matter for an individual employee's performance and to return to the council table at 9:18pm. Motion seconded by Council Member Marino, voted on, passed 4-0. 9:13pm

Others in attendance: CC Wade and City Attorney Deane.

OPEN SESSION RESUMED AT 9:18pm:

RECESS:

❖ **Motion**

Council Member Smith motioned for a 5-minute recess and to return to the council table at 9:08pm. Motion seconded by Council Member Marino, voted on, passed 4-0. 9:03pm

EXECUTIVE SESSION:

❖ **Motion**

Council Member Mitzner motioned for an executive discussion for 10-minutes for non-elected personnel matter to review application for police department and to return to the council table at 9:35pm. Motion seconded by Council Member Smith, voted on, passed 4-0. 9:25pm

Others in attendance: CC Wade, Chief Mathies and City Attorney Deane.

OPEN SESSION RESUMED AT 9:35pm:

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:

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NOTES AND COMMUNICATION:

ADJOURNMENT:

❖ ***Motion***

Council Member Smith motioned to adjourn the meeting. Motion seconded by Council Member Marino, voted on, passed. 4-0. 9:42p.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 3rd day of June 2026.