

Record of the Proceedings of the Governing Body
REGULAR MEETING

Page 1 of 5 Pages

OCTOBER 18, 2023

REGULAR MEETING:

The La Cygne City Council met on Wednesday, October 18, 2023 at the La Cygne Community Building. Council Members present were: Thomas Capp; Keith Stoker; David Brenneman; Danny Curtis; and Jerome Mitzner.

Others in attendance included, but not limited to: City Clerk (CC) Jodi Wade; Public Works Superintendent (PWS) Dan Nasalroad; Linn County Newspaper, Tony Furse; Linn County Journal Roger Simms; and Ed Smith(new Planning & Zoning Commissioner).

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

Pledge of Allegiance – Mayor Debra Wilson

MAYOR COMMENTS:

Mayor Wilson reminded patrons of the following upcoming events:

- Broadway Trunk or Treat will be held on Friday, October 27, 2023 starting at 6pm.
- Halloween in Thayer Park, October 31, 2023 hosted by the La Cygne Fire Department
- Trunk or Treat at the Family Café, October 31, 2023, starting at 5pm.
- Honor Society 50th Anniversary Celebration, October 24, 2023, starting at 5:30pm in the Great Room at the La Cygne Library.
- Copper and Lead Inventory Surveys are due by the end of October in order to receive a \$10 credit on your December 2023 Utility bill.

CONSENT AGENDA:

❖ Motion to approve Consent Agenda:

Council Member Mitzner motioned to accept the Consent Agenda.

Minutes of October 4, 2023 City Council Meeting;
Minutes of October 10, 2023 Special Council Meeting;
2023 September Budget Report;
2023 September Treasurer's Report;
3rd Quarter Financial Statement;
Check Register: October 1 – October 13, 2023.

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

DISCUSSION FROM THE FLOOR:

528 N 6TH STREET – BONNIE LA FOE: Bonnie LaFoe did not show up to the meeting.

Mayor Wilson introduced Ed Smith, recently appointed Planning & Zoning Commissioner.

REPORTS OF CITY OFFICERS:

CITYCLERK – JODI WADE:

CC Wade gave a brief overview from the 2023 Water Summit held in McPherson, KS. This event was attended by State Legislatures, Kansas State Department representatives, Mayors, City Administrators/Clerks, Public Works Superintendents and Water Plant Operators. CC Wade reviewed the agenda from the meeting which included topics regarding the decline of our water sources, funding opportunities for water infrastructure improvement projects, communication/networking among water entities and updates from the Kansas Water Office and State Legislators.

SPECIAL PROJECTS:

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

Final application will be prepared for review and payment.

SEWER REHABILITATION PROJECT (BG CONSULTANTS)

PWS Nasalroad reviewed a letter received from SAK Construction offering a (1) year extended warranty for the specified assets below for the Sewer Rehabilitation and Improvement Project. PWS Nasalroad presented pictures of Line 13-12, Line 14-13, Line 103-102 and Line 110-109 showing the “wrinkles” in the new lining which could have been caused by variance in the ID or offsets at joints in the preexisting pipe. Discussion was held about concerns of longevity for these areas. PWS Nasalroad reviewed the explanation from BG Consultants expressing the concerns with cutting the new liners being more harmful than beneficial.

The Council advised PWS Nasalroad to reach out to BG Consultant to advise SAK Construction of their request to have another CCTV performed at the end of the extended warranty period prior to accepting the offer.

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

No updates at this time

NEW FIRE STATION/PUBLIC SAFETY BUILDING

Progress continues.

SEWER LAGOON DESLUDGING (REED ENVIRONMENTAL LLC)

Contract agreement has been issued to Reed Environmental LLC, waiting for them to sign and return.

STORMWATER MASTER PLAN (BG CONSULTANTS):

CC Wade and PWS Nasalroad will meet with Abby Mills, BG Consultants, on October 24, 2023 to review the potential project list.

COUNCIL COMMITTEE REPORTS:

WATER & GAS -NONE

Mayor Wilson had the Council review three draft Ordinances pertaining to utility accounts.

- Draft Ordinance amending returned electronic credit/debit card and check payments procedure and policy.

- Draft Ordinance pertaining to Solid Waste (trash) service on accounts that have been shut-off for non-payment for a period longer than a 30-day billing cycle.
- Draft Ordinance regarding Utility accounts in a deceased individuals name.

The Council and City Attorney Harding made some modifications to the wording in sections pertaining to returned payments. Further discussion was held on accounts in deceased individuals' names. City Attorney Harding questioned the concerns or issues the city was facing. CC Wade reviewed problems with collections on outstanding accounts and issues with squatters. City Attorney Harding will work with the clerks on the language for the penalty section if utility accounts are left in a deceased individuals' name.

STREET -NONE

SEWER -NONE

PUBLIC SAFETY – NONE

EMPLOYEE RELATIONS & TRAINING-NONE

CEMETERY -NONE

COMMUNITY BUILDING-NONE

PARK-

PWS Nasalroad advised the council the park bath/shower house has been winterized for the season.

SPECIAL COMMITTEE REPORTS:

EMERGENCY MANAGEMENT: NONE

CHAMBER OF COMMERCE – NONE

PLANNING & ZONING COMMISSION (PZC)-

Mayor Wilson read a letter received from Ronald Wier dated October 10, 2023 announcing his resignation from the Planning & Zoning Commission effective October 10, 2023. Ronald Wier has served on the commission for 20-years. Mayor Wilson recognized the time and commitment Ron has made over the years to the City of La Cygne. She reminded patrons of the importance for volunteers to serve on boards and commission in small communities such as ours.

UNFINISHED BUSINESS:

528 N. 6TH STREET AGREEMENT DATED OCTOBER 10, 2003,

The Council recommended a letter to be sent requesting the plan for the removal of the home from the alley right of way.

402 S. BROADWAY – CONTRACT AGREEMENT FOR TITLE SEARCH AND DEED PREPARATION

CC Wade presented the draft agreement for the request of title search and preparation of a warranty deed for the property located at 402 S. Broadway in exchange for relief from the abatement assessed to the property owner for the demolition of the home. City Attorney Harding indicated he would be adding the legal description to the agreement prior to sending it to the property owner.

❖ Motion

Council Member Mitzner motioned to approve the agreement for the request of title search and preparation of a warranty for the property located at 402 S. Broadway in exchange for relief from the abatement assessed to the property owner for the demolition of the home. Motion seconded by Council Member Capp, voted on, passed 3-2 (Nay-Council Member Curtis and Council Member Brenneman)

Record of the Proceedings of the Governing Body
REGULAR MEETING

Page 4 of 5 Pages

OCTOBER 18, 2023

209 N BROADWAY – WATER STANDING AT THE CORNER OF CHESTNUT AND BROADWAY AFTER RAIN.

Action: Council will proceed with action upon review of the stormwater survey and an engineers' opinion.

PLUGGED CULVERTS:

Action: PWS Nasalroad presented pricing for 8" Steel culverts - \$18/lineal foot. Discussion was held again regarding the alley locations and whether the necessity was evident to have a culvert.

DRAFT ARTICLE 3. WORK-SITE UTILITY VEHICLES, GOLF CARTS, AND ALL TERRAIN VEHICLES.

Action: CC Wade needs assistance from Chief Fenoughty and Interim Chief Le Sturgeon to prepare a draft.

RECESS:

CC Wade requested a 5-minute recess to meet with City Attorney Harding.

❖ **Motion**

Council Member Capp motioned for a 5-minute recess for CC Wade to meet with City Attorney Harding and to return to the council table at 8:20pm. Motion seconded by Council Member Mitzner, voted on, passed 5-0. 8:15pm

OPEN SESSION RESUMED AT 8:20pm:

EXECUTIVE SESSION:

❖ **Motion**

Council Member Capp motioned to go in to executive discussion for 5-minutes for non-elected personnel individual employee's performance for Police Department and to return to the council table at 8:28pm. Motion seconded by Council Member Mitzner, voted on, passed 5-0. 8:23pm

Others in attendance: City Attorney Harding.

OPEN SESSION RESUMED AT 8:28pm:

UNFINISHED POLICY REVIEW:

ARTICLE 22 DRAFT OFF-STREET PARKING REGULATIONS

Mayor Wilson asked the Council to review through another section of the draft Article 22. The council picked up where they left off from the prior meeting. Section 22-4: Permit required was reviewed.

22-401: Modify to read – "Application and plans shall be submitted to the clerk and approved by the Zoning Administrator and Public Works Superintendent prior to beginning construction."

22-403(A)(i) – OK as presented

22-403(A)(ii) – OK as presented

Record of the Proceedings of the Governing Body
REGULAR MEETING

Page 5 of 5 Pages

OCTOBER 18, 2023

UNFINISHED POLICY REVIEW:

ARTICLE 22 DRAFT OFF-STREET PARKING REGULATIONS

22-403(A)(iii) – OK as presented

22-403(A)(iv) – OK as presented

22-403(A)(v) – Ok as presented

DRAFT LANDLORD REGISTRATION ARTICLE.

NEW POLICY REVIEW:

ARTICLE 5. PARKING

ETHICS AND CUSTOMER SERVICE TRAINING

SOCIAL-MEDIA POLICY

BNSF QUIET ZONE

COMPANY VEHICLE USE

NOTES AND COMMUNICATIONS TO COUNCIL:

NONE

ADJOURNMENT:

❖ Motion

Council Member Capp moved to adjourn the meeting. Motion seconded by Council Member Curtis, voted on, passed 5-0. Time 8:48p.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 18th day of October 2023.