

Record of the Proceedings of the Governing Body
REGULAR MEETING

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July 20, 2022

REGULAR MEETING:

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

Others in attendance included, but not limited to: City Clerk (CC) Jodi Wade; Public Works Superintendent Dan Nasalroad; Police Chief Fenoughty; City Attorney Burton Harding; Linn County Newspaper Tony Furse; Linn County Journal Roger Simms; Jim Thompson; Gale Grizzle; and Doug Hensley.

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

Pledge of Allegiance – Council President Danny Curtis (presiding Mayor in Debra Wilson’s absence)

MAYOR COMMENTS:

CONSENT AGENDA:

❖ Motion to approve Consent Agenda:

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

Minutes of July 6, 2022 City Council Meeting;
Minutes of July 14, 2022 Special City Council Meeting;
June 2022 Budget Report;
June 2022 Treasurer’s Report;
Check Register: July 7 – July 20, 2022;
1st Quarter 2022 Financial Statement revised;
2nd Quarter 2022 Financial Statement.

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

DISCUSSION FROM THE FLOOR:

Doug Hensley with Suncrest Capital regarding the mobile home parks located on N. Broadway and the mobile home park located at Sycamore/Vine St. Mr Hensley manages HRB Communities. Mr. Hensley reported to the Council the progress on cleaning up the mobile home parks. At the N. Broadway Park, a contractor has been hired to remove units 1, 5, 13, 16, 17, and 18. At the mobile home park located in the 700 block of Sycamore and Vine, a contractor will be removing units 1, 10 and 14. They are planning to bring in a 2012 unit to place in lot 13. A new maintenance manager has been hired so we should see maintenance improvement at both parks. Mr. Hensley has met with Officer Fox and has hired a crew to address the codes violations. Suncrest Capital plans to move in up to 6 newer homes.

SPECIAL PROJECTS:

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

Starbuck Trucking, LLC has been working on desludging the existing settling pond. PWS Nasalroad stated the improvement work on the ponds should be completed in a couple of weeks.

SEWER REHABILITATION PROJECT (BG CONSULTANTS)

Nowak Construction continues to work on point repairs in areas on the north side of La Cygne. Notices have been provided and updated weekly on the Facebook page and website as well as in the City Hall advising patrons of the areas in which the crew is working. CC Wade asked the council about Nowak Construction and BG Consultants using the front of the community building as a meeting place. There are a lot of plans for the sewer project and they all use laptops to correspond with their main offices. They utilize their own hot-spots for internet service. CC Wade stated she had allowed them to use it the past two weeks and they have done a nice job of keeping it clean and always checking in on the schedule of use for the building. The council decided to table the decision until the next meeting, but advised CC Wade that Nowak Construction and BG Consultants could continue to use the building as they had been until the next meeting.

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

KDOT, Killough Construction, BG Consultants, CFS Engineering, Kelly Haupt (Lincoln-Scott Township Medical Board), PWS Nasalroad, Council Member Capp and City Clerk Wade were all on site for the final walk through for the CCLIP project. A punch list of items has been created and reviewed. All items on the punch list will need to be completed and reviewed before final sign-off. The only item with a warranty period is the stripping, which is 185 days from the date of substantial completion. Once the final forms are signed the project will be closed out by KDOT and final payment will be made to all parties. Council Member Capp commended Ian Stringham (KDOT Construction Manager) on doing a thorough review of the project. Council Member Capp also mentioned his frustration with the inspector, Jim Weigand of CFS Engineering, not checking things very well and pointed out an example of not checking the stormwater manholes to be sure the joints were sealed up properly.

NEW FIRE STATION/PUBLIC SAFETY BUILDING

Rick Zingre has prepared some preliminary drawings which have been reviewed by Fire Chief Nasalroad and at a station meeting with the firefighters. To date Zingre is waiting for soil testing results so the engineers can complete the specifications for the foundation. Fire Chief Nasalroad completed a list of questions presented by Zingre in regards to specifications of items to assist him with completing the design work for the building.

602 N. 5TH STREET DEMOLITION BID (DOUBLE EAGLE EXCAVATING-JIM THOMPSON)

No update at this time. Jim Thompson was present and indicated the work would begin in about a week or so.

WATER TREATMENT PLANT ANALYSIS:

PWS Nasalroad would like to make a request for a council workshop on Tuesday, July 26, 2022 at 6 pm to review the water treatment plant analysis presented by Midwest Engineering Group.

SPECIAL PROJECTS:

WATER TREATMENT PLANT ANALYSIS:

❖ **Motion**

Council Member Capp motioned for a council workshop on July 26, 2022 at 6 pm at the La Cygne Community Building to review the water treatment plant analysis presented by Midwest Engineering Group. Motion seconded by Council Member Stoker voted on, passed 4-0.

109 N. 2ND STREET REMOVAL OF DUPLEX FROM THE RIGHT OF WAY:

Discussion was held regarding the completion of the agreement and waiver. City Attorney Harding has been in contact with the attorney for the property owner, Jackie Pribble. The owner is currently receiving medical treatment and is unavailable for signature. City Attorney Harding stated he would keep in touch with the attorney on the pursuit of the form getting signed.

❖ **Motion**

Council Member Capp motioned to proceed with an advertisement for bid for the removal of the home located at 109 N. 2nd Street upon the receipt of both the signature from the owner and signature of the mayor. Motion seconded by Council Member Stoker voted on, passed 4-0.

REPORTS OF CITY OFFICERS:

CITY ATTORNEY – BURTON HARDING:

- Worked on municipal court cases;
- Letter to 528 N. 6th Street;
- Communication with the attorney for Jackie Pribble owner of 109 N. 2nd Street regarding signing the waiver form.

POLICE CHIEF – TINA FENOUGHTY :

3 Traffic Stops Conducted
Citations issued since last meeting - 0

Speed School Zone	0	Registration Viol	0
Suspended License	0	No Tag	0
Insurance	0	NO DL	0
Speed Construction Zone	0	Speed	0
Vicious Dog/RAL/Tag	0	Paraphernalia	0
Illegal Burn	0	Parking	0

Calls for Service / Reports – 7/05/22 thru 07/20/22

Animal Complaint – 9	Traffic Complaints - 2
Assist Outside Agency – 5	Gun Shot Wound – 1
Ambulance – 0	Citizen Assist CFS / contact - 28
Fingerprints – 0	Juvenile Incident – 3
Check Welfare – 4	Found Property – 2

REPORTS OF CITY OFFICERS CONTINUED:

POLICE CHIEF – TINA FENOUGHTY :

Follow Up – 34	Criminal Damage - 1
Suspicious Activity – 3	Civil Matter – 1
Noise Complaint – 1	Disorderly Conduct- 1
Theft – 4	Non-Injury Accident – 1
Aggravated Assault – 1	Stolen Vehicle – 2
Disturbance – 2	Warrant Attempt - 2
Felony Warrant – 0	Misdemeanor Warrant – 0
Vehicle Lockout – 1	Fireworks – 0
Urinating in Public – 1	Mental Health – 0
Trespass – 1	911 Hang up – 0

VIN Inspections- 2 completed

Report Requests – 2

Overtime for Department – 8 hours

CODES ENFORCMENT – ALLISON FOX:

Report from 7/6/22 – 7/20/22

Code Letters:

Nuisance – 2 corrected and 1 still in progress
INOP – 1 still in progress
Grass/Weeds – 3 corrected and 24 in progress

Building Permits:

613 E. Market – Still waiting for survey of property before moving forward on the construction they started for the front porch.

413 S. 1st Street – New home with garage. Waiting for more information from the owner before moving forward on the home.

Condemnations/Demolitions/Removals/Violations:

627 N. Broadway (Mobile Home Park) – Progress Report:

- 7/8/22 @ 11 am – I spoke with Adam Reeves and Doug Hensley about the progress of the mobile home park. Adam said his crew took the front porch off trailer #1, repaired the skirting on all trailers that needed it and put new house numbers on all the units that were staying. Doug mentioned that Adam’s crew did not have the equipment to do the tear out of the trailers so Jimmy Thompson (Double Eagle Excavating) was going to do it. I spoke with Jimmy Thompson who confirmed he would be doing the tear out. He stated that Adam’s crew was going to be cleaning out the trailers that are being taken out and he would get started when they finished.
- 7/15/22 @ 10 am – Ryan Hill (owner) called and explained Jimmy Thompson would not be available to do the tear out for a while so he has someone else coming.
- 7/19/22 @ 4 pm – I spoke to Ryan Hill for an update and he stated that the company that is doing the tear out will be getting started next week.

REPORTS OF CITY OFFICERS CONTINUED:

CODES ENFORCMENT – ALLISON FOX:

Officer Fox asked the council for a 10-minute executive session for non-elected personnel matter for an individual employee's performance for the police department.

❖ **Motion**

Council Member Capp motioned to go in to executive session for 10 minutes for non-elected personnel matter for an individual employee's performance for the police department and will return to the Council table at 8:08 p.m. Motion seconded by Council Member Stoker voted on, passed 4-0. 7:58 p.m.

Others in attendance included, but not limited to: Officer Allison Fox, City Attorney Harding and Mayor Debra Wilson by speaker phone.

OPEN SESSION RESUMED AT 8:08 p.m.

❖ **Motion**

Council Member Capp motioned to go in to executive session for 15 minutes following a 2-minute recess for non-elected personnel matter for an individual employee's performance for the police department and will return to the Council table at 8:25 p.m. Motion seconded by Council Member Stoker voted on, passed 4-0. 8:10 p.m.

Others in attendance included, but not limited to: CC Wade, City Attorney Harding, and Chief Fenoughty.

OPEN SESSION RESUMED AT 8:25 p.m.

❖ **Motion**

Council Member Capp motioned to go in to executive session for 15 minutes for non-elected personnel matter for review of applications and resumes performance for the police department and will return to the Council table at 8:42 p.m. Motion seconded by Council Member Stoker voted on, passed 4-0. 8:27 p.m.

Others in attendance included, but not limited to: CC Wade, City Attorney Harding, and Chief Fenoughty.

OPEN SESSION RESUMED AT 8:42 p.m.

❖ **Motion**

Council Member Capp motioned to approve for CC Wade to place an ad in the newspaper for 1-2 full-time Police Officers with a closing date for applications to be received by August 2, 2022. Motion seconded by Council Member Stoker voted on, passed 4-0.

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COUNCIL COMMITTEE REPORTS:

WATER & GAS -

The Gas committee will meet at 5:00pm on August 3, 2022. Send reminders.

STREET - NONE

SEWER - NONE

PUBLIC SAFETY - NONE

COMMUNITY BUILDING- NONE

EMPLOYEE RELATIONS & TRAINING-

Article G. Discipline of the Personnel Policies and Guidelines City of La Cygne, KS (Tabled until Aug 3, 2022 meeting)

CEMETERY -

CC Wade presented a picture of a cemetery information boards. Council Member Brenneman will review with the cemetery beautification committee.

PARK-

Blast in the Park went well. Big thank you to Jenn Vogt, Susan Harper, Jodi Wade, Katie Russell, Dan Nasalroad, Allison Fox, Tina Fenoughty, Craig Haley and Thomas Capp for helping to organize the event, maintain trash and public safety during the event, and guiding traffic leaving the event.

SPECIAL COMMITTEE REPORTS:

EMERGENCY MANAGEMENT- NONE

CHAMBER OF COMMERCE - NONE

PLANNING & ZONING COMMISSION (PZC) -

IBTS will be scheduling a workshop for the Planning & Zoning Commission and the City Council in either the later part of August or the first part of September regarding the review of the Comprehensive Plan Revisions.

BOARD OF ZONING APPEALS (BZA) -

Planning & Zoning Commission will need to recommend one member of the commission to the BZA at their meeting in August.

UNFINISHED BUSINESS:

528 N. 6TH STREET

City Attorney Harding presented a letter to the owner of 528 N. 6th Street (Gale Grizzle) addressing the removal of the home from the right-of-way (alley). City Attorney Harding advised the owner to submit a building permit application to the City Hall for approval prior to any movement/remodeling of the existing home. Gale Grizzle, owner, expressed concerns for getting the work completed in 30 days due to personal medical obligations. Council Member Capp indicated the owner needed to proceed with the building permit application process first and the codes officer and council would then review the time period based off of the information submitted on the building permit application.

WATER AND SEWER RATE ANALYSIS PROPOSAL FROM CARL BROWN

Tabled until receipt of the water treatment plant analysis.

UNFINISHED BUSINESS:

TREE REMOVAL BIDS

A request for bids had been placed in the official city newspaper. At this time no bids have been received for the removal of trees at 1002 Market Street and 714 N. 4th Street. Bids were to be submitted by 3:00 pm on July 19, 2022. City Attorney advised the council to extend the request for bids to a future date and suggested to also solicit requests for bids to 2-3 companies.

❖ **Motion**

Council Member Capp motioned to extend the request for bids to August 1, 2022 and to solicit requests for bids to 2-3 companies. Motion seconded by Council Member Stoker voted on, passed 4-0.

NEW BUSINESS:

FEMA DRAFT FLOOD INSURANCE RATE MAP (FIRM) DATABASE FOR LINN COUNTY, KS.

The engineering data will form the basis for mapping the proposed Special Flood Hazard Areas (SFHAs) on the FIRM for the City of La Cygne in the area being revised. A web map has been provided for review at <https://gis2.kda.ks.gov/gis/linn/>. All comments must be submitted by August 15, 2022. CC Wade will have hard copies available at the city hall. CC Wade indicated the city council members need to review the information and submit all comments to her to enter on the map for review. This is the time to make comments. The map will be going out for public review next in preparations for the final draft.

EXECUTIVE SESSION:

CC Wade asked for 8-minutes executive session for non-elected personnel matter for an individual employee's performance.

❖ **Motion**

Council Member Capp motioned to go in to executive session for 8-minutes for non-elected personnel matter for an individual employee's performance for the city hall clerks and will return to the Council table at 9:48 p.m. Motion seconded by Council Member Stoker voted on, passed 4-0. 9:40 p.m.

Others in attendance included, but not limited to: CC Wade and City Attorney Harding

OPEN SESSION RESUMED AT 9:48 p.m.

OTHER BUSINESS:

City Attorney Harding advised the council of a KORA/KOMA virtual training coming up on August 31, 2022. Cost is \$100. Council Member Brenneman indicated he would be interested in participating.

❖ **Motion**

Council Member Capp motioned to approve up to \$500 for the mayor, council members or city staff to participate in the KORA/KOMA virtual training on August 31, 2022. Motion seconded by Council Member Stoker voted on, passed 4-0.

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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 4-0. Time 9:49 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 July, 2022.