

City of Severy March 2023 Special Meeting Minutes

CITY OF SEVERY

SPECIAL MEETING

MARCH 15, 2023

7:00 P.M. AT CITY HALL, SEVERY KS

Present: Council President Marc Warren, sitting as Mayor Pro Tem; Council Members Lyle Riggs, Rodger Kraft, Ron Robert, Clerk Tessa Riggs, Code Enforcement Officer Ken Kierl and City Attorney Alleen VanBebber (via zoom)

Guest: Robin Wunderlich, Terry Love, Maxwell Garrett, Christina Hull, and Mayor Donna Wiss, who recused herself and attended the meeting only as a concerned citizen.

Mayor Pro Tem Warren called the meeting to order at 7:00 p.m. Pledge of Allegiance and roll call cited.

Code Enforcement Officer Kierl presented the council with his written report regarding the property at 302 N. Kansas Avenue. Kierl reported there are two concerns. One being a nuisance and the other a fire hazard. Last year the council concentrated its limited resources on enforcing Ordinance 434, regarding grass and weeds, and Kierl would like to see the Council enforce Ordinance 431 regarding nuisances. Kierl has started to compile a list of properties that he will be bringing to the council at the April 3rd the Council meeting. This property is one of many that needs addressed. Kierl provided the council with pictures, and since then more items have been brought in. Kierl did have communication with the tenant and informed her that he has had multiple complaints. He advised her it would be best if she did not bring any more things in because the Council is going to have to address it. Kierl stated that the City does not have the ability to handle all the nuisances at one time and believes the list will need to be prioritized according to how bad they are and, most importantly, safety hazards.

Councilman Klepper questioned how the City will address the problem. VanBebber mentioned that there is a specific process by law. If the Council determines there is a legal violation by passing a Resolution, the Clerk will send a letter by certified mail or it can be personally served to on the owner. The property is what is in violation regardless of whose property it is. It is the owners' responsibility to see that their property stays out

of violation. A letter will be addressed to the owner(s) and to the occupant(s), with the Resolution, an Order of Violation, a copy of the ordinance and instructions on what to do next. The letter will also state that the council may take up this violation at a hearing and there will be a time frame to have the property cleaned up.

VanBebber asked if the owner(s) are aware of the situation. Clerk Riggs stated that the owner has been into the City Office at least 3 times to discuss several matters. Councilman Riggs asked if the occupant has reached out to the city regarding the situation. Clerk Riggs mentioned the occupants did contact her today inquiring about a large dumpster. Clerk Riggs has reached out to the City's contracted refuse company, and since Severy is so far out they will not provide individuals with a roll-off dumpster.

When Kierl spoke with the occupant, she said there were "multiple families' stuff". He explained that, according to the ordinance it does not matter whose stuff it was, it is on the property. Kierl also mentioned the safety concerns. If Emergency Management Services were called, it would be difficult to get to a person inside.

The letter will provide the occupant 10 days according to the ordinance. If she needs more time, she can make contact with the Clerk and make a request to the Council or attend the next Council meeting as long as she is making progress. Councilman Riggs requested the Clerk to check with places and have a list of companies who do provide large dumpsters.

Warren opened the floor for public comment. Terry Love, pastor of Church of the Nazarene, stated the church is willing to do anything they can to help. Wiss commented that she hopes the Council does what is right in this situation and everyone needs to be treated the same. Severy resident Christina Hull suggested the items go off to storage. Severy resident Maxwell Garrett volunteered to help if needed. Warren closed the public comment.

Klepper moved to find the property located at 302 N. Kansas Avenue in violation of Ordinance 431 allowing Public Officer Kierl to start the process of bringing the property back into compliance. Kraft 2nd. Motion passed 5-0. Robert moved to allow 10 days from serving the letter stating that Ordinance 431 needs to be enforced on this residence. Riggs moved to hold a hearing immediately after the April 3, 2023, meeting. Kraft 2nd. Motion passed 5-0.

Warren stated that he hopes everyone understands that the city needs to do this, or the city is neglecting the citizens. Robert also mentioned that this is just the first of many. Kierl believes that each and every one needs

to look at our own properties, because Kierl has to be fair across the board no matter who you are, including his own property.

Robert moved to adjourn at 8:00 p.m. Klepper 2nd. Motion passed 5-0.