

CITY OF SEVERY

REGULAR BUSINESS MEETING

NOVEMBER 6, 2023

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

Present: Mayor Donna Wiss, Council Members Lyle Riggs, Marc Warren, Rodger Kraft, Kevin Klepper & Ron Robert, Clerk Tessa Riggs, Code Enforcement Officer Ken Kierl, Water Superintendent Paul Schmidt and City Attorney Alleen VanBebber (via zoom)

Guest: Robin Wunderlich, Ed Cornett, Harry Wunderlich Jr, Karen Wunderlich, Roy Higbee & Tamara Higbee

Mayor Wiss called the regular business meeting to order at 7:00 p.m. The Pledge of Allegiance was recited, and roll was called.

Robert moved to amend October 2023 minutes and add his name to the attendance. Warren 2nd. Motion passed 4-0.

Warren moved to approve the October 2023 minutes as amended. Kraft 2nd. Motion passed 4-0.

Kraft moved to approve October 2023 bills. Riggs 2nd. Motion passed 4-0.

Riggs moved to approve October 2023 Treasurer's Report as presented. Warren 2nd. Motion passed 4-0.

Code Enforcement Officer Kierl stated that the property at 302 N. Kansas Avenue is cleaned up and there are new property owners. Kierl mentioned that some items that were at the 302 N. Kansas Avenue address have been put on a property on North Greenwood Avenue. Kierl spoke with the new property owner and he assured Kierl that the goal was to have the belongings in the yard and the house torn down in approximately 6 months. Kierl does not believe this situation will be an issue and he is trying to work with the citizens prior to bringing it to the council. Kierl mentioned an ongoing issue at 106 N. Severy Avenue. Kierl has spoken to the owner several times. He addressed a potential fire hazard where residents are occupied. Warren moved to issue a violation subject to Public Officer Kierl's discretion. Kraft 2nd. Motion passed 4-0. Kierl also addressed public nuisance and animal control that has been an ongoing issue for approximately 9 months to 1 year. There has been a written complaint and Kierl stated that this has to be addressed and complaints can't be ignored. Kierl

has visually seen anywhere from 15-20 dogs at a time and today prior to the meeting he only saw three or four. There are complaints regarding the smell of dog waste. One complaint stated a dog didn't bite the person but came very aggressively to him. There is livestock at the address on Mill and Water Street which Kierl stated is against Ordinance 438, due to no permit and no one resides at the address. Robert moved to approve an Order of Violation based on Kierl's written report. Warren 2nd. Motion passed 4-0.

Councilman Klepper joined the meeting at 7:30 p.m.

Water Superintendent Schmidt reported part time employee Plonka has been trimming trees at the cemetery and part time employee Ledford has been working on roads. Schmidt stated there is an issue with Kansas Department of Health & Environment water samples this month. Clerk Riggs emailed a company to add Severy to the list for the monthly pickup and there was no communication from the company to the driver. Once the samples were picked up, the time limit for KDHE testing had run, Schmidt will have to do a retake sometime this month.

Old Business. VanBebber explained how the water plant construction is handled. The first invoice that was submitted was correct and the majority of the cost was for materials that had to be ordered. As far as how the daily operations are handled, the city does not control the work of the subcontractors. If the public has a complaint, they will need to go to Schmidt, who is the City's contact. At this point the contractors are on time and have 120 days to complete the project.

VanBebber drafted a new ordinance for the cemetery due to changes in the law. VanBebber sent a copy of the draft via email to each council member. The ordinance is about the same as before, but VanBebber brought some things up to date with the laws in Kansas. VanBebber will also send out a draft regarding the sewer.

New Business. Harry Wunderlich, Jr., requested to address the Council. Wunderlich questioned if the City cameras were used for private purposes, because he is in a lawsuit over his back from an accident and some unidentified photos were sent to the other party's attorney. Councilman Riggs explained that Mr. Wunderlich came into the office, became very nasty, and made assumptions about people. Riggs went on to say that he was unaware of where the picture came from, but the City has no camera that shows the view in the photo provided to the Council. Mayor Wiss mentioned that the cameras are placed to protect the City's property. VanBebber asked Mr. Wunderlich if the picture was sent to him from his attorney. Mr. Wunderlich said yes.

VanBebber suggested that Mr. Wunderlich's attorney contact the City of Severy's attorney if there are any questions.

Clerk Riggs noted that the refuse contract will be ending in July 2024, and it will need to be put out for bids. Clerk Riggs will put an ad in the local papers.

Due to Severy not having a ball club this year, the Elk County Wrestling Club is requesting a donation for new uniforms. Robert questioned what the City has done in the past. Clerk Riggs stated the only thing the City has done in the past couple of years is donating to the After Prom Parties for both West Elk and Eureka. Kraft mentioned that if the city donates to this club, then others will expect it also. Robert moved to approve a \$100 donation to the Elk County Wrestling Club. Warren 2nd. Motion passed 5-0.

Warren moved to go into executive session for 15 minutes, including Clerk Riggs and City Attorney VanBebber, to discuss personnel matters of non-elected personnel Robert 2nd. Motion passed 5-0.

The meeting came back into session at 8:13 p.m. No action was taken.

Clerk Riggs has been in contact with the company on the rejuvenator for the roads. Tuesday, November 7th is voting day.

Warren moved to adjourn. Kraft 2nd. Motion passed 5-0.