

**Record of the Proceedings of the Governing Body**  
**SPECIAL MEETING**

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**June 29, 2023**

**SPECIAL MEETING:**

The La Cygne City Council met on Thursday, June 29, 2023 at the La Cygne City Hall. Council Members present were: Thomas Capp; Keith Stoker (via speaker phone); David Brenneman; and Jerome Mitzner. ABSENT: Danny Curtis.

Others in attendance included, but not limited to: City Clerk (CC) Jodi Wade; Police Chief Tina Fenoughty; Part-time Officer Allison Fox.

**CALL SPECIAL MEETING TO ORDER (10:30 A.M.)**

**COUNCIL MEMBERS REQUESTED TO CALL A SPECIAL MEETING FOR AN IMMEDIATE HAZARD RESPONSE TO 627 N. BROADWAY STREET PER SECTION 4-212 OF THE CODE OF THE CITY OF LA CYGNE, KANSAS.**

Chief Fenoughty presented the timeline for codes violations for the property located at 627 N. Broadway. The timeline listed violations and communications from the Codes Enforcement Officer of attempts to have the dilapidated mobile homes removed and the lot cleaned up. The timeline dates back for a period over a year. Chief Fenoughty presented pictures taken yesterday which show rebar sticking up out of the ground, electric boxes opened and lines uncovered, broken glass, and construction debris. Chief Fenoughty expressed her concerns about rodents. Chief Fenoughty was able to talk to the resident of Lot 4 and made attempts to talk to the residents of Lot 6, 7, 19 and 3. The trailer park does not hold a current license. Council Member Capp indicated the council waived the license until the governing body updated the regulations. Mayor Wilson indicated this has been an on-going issue and the owner has made promises but not completed them.

City Attorney Harding advised the council on the two (2) classes of issues that are being discussed. One issue is what would be considered immediate hazards, such as; the re-bar, trash, rodents and broken glass. The second issue is the home repair concerns inside the units. This special meeting, per City Attorney Harding, is for the first issue of defining the immediate hazards and the governing body directing the city employees on how to address those immediate hazards in order to make it safe for the public. City Attorney Harding proceeded with advising the council to review Article 7. Minimum Housing Standards for steps on how to proceed regarding the repairs of the inside of the homes prior to the next council meeting for discussion.

Council Member Brenneman addressed his concerns about the timing from when the mobile homes were removed and the discovery of the items of concern. Council Member Brenneman suggested the Public Works crew needed to do a more thorough review of the lot before mowing to prevent damage to the mowers. Council Member Capp stated the meeting today has no relevance to the damage to the mowers but rather was about making sure the lot was safe for the best interest of the patrons health and welfare. Mayor Wilson and Part-time Officer Fox addressed the challenge of seeing the hazards due to the continued obnoxious weed growth around the mobile homes and vacant lots. Council Member Stoker suggested to barricade the areas containing the hazards and to put up signs to keep people out. Council Member Mitzner reviewed the history of codes violations for this property and the concern with the slow pace of the owner to complete the tasks. Council Member Mitzner suggested it was worth the investment to put up barricades and signs and provide notice to the owner to remove the immediate hazards. Chief Fenoughty provided the recent invoice for the city to mow and trim the lot which amounted to a total of \$2764.32.

Discussion was held on what items the council would constitute as immediate hazards. City Attorney Harding advised the council to be sure the defined hazards would be considered a hazard whether it was on this lot or another lot in town. City Attorney Harding also indicated the importance

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of making it safe. Since the city is now aware of the hazards within the property the city could be considered liable if something happened.

❖ ***Motion***

**Council Member Mitzner motioned to define that the rebar, broken glass and debris on the ground, open electrical boxes and uncovered lines do constitute as immediate hazards under the Codes of the City of La Cygne, Kansas at the property located at 627 N. Broadway Street. Motion seconded by Council Member Capp, voted on, passed 3-1 (Nay-Brenneman).**

❖ ***Motion***

**Council Member Mitzner motioned to empower the Public Works, City Clerk, and Public Safety Officer Fenoughty to erect a barricade around the areas containing the defined immediate hazards and issue a letter to the owner of the property located at 627 N. Broadway Street to rectify the problem by July 28, 2023. Motion seconded by Council Member Capp, voted on, passed 4-0.**

**ADJOURNMENT:**

❖ ***Motion***

**Council Member Capp moved to adjourn the meeting. Motion seconded by Council Member Mitzner, voted on, passed 4-0. Time 11:01 a.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 29<sup>th</sup> day of June 2023.