

## AGENDA

### Call Council Meeting to Order

### Additions to the Agenda

### Citizen Comments

### Consent Agenda

1. Approve Minutes for Regular Meeting on 05-17-2016.
2. Approve Appropriation Ordinance #06-07-2016 in the amount of:  
*General Fund-; Solid Waste Collection-; Sewer Utility-; Water & Light-; Equipment Reserve-.*

### Police Department

1. Report

### Fire Department

1. Report

### Administration-City Clerk

1. Town Hall Meeting to discuss 1% sales tax increase question for July 26th
2. Vonfeldt, Bauer & Vonfeldt quote for preparing the 2017 budget
3. Report

### Administration-Superintendent

1. Weed Ordinance
2. Report

### City Attorney

1. Report

### Old Business

1. GSI Proposal for Collection of Initial Data.
2. Public Hearing-Reevaluation of 213 S Broadway.

### New Business

1. Mayor appointments of Chad Fisher, Jon Mansel, Kim Hullman, Tonya Sanders, and Josh Meyer to the grocery store task force.

**CALL TO ORDER**

Mayor Juliann M Owens called the regular meeting of the St John City Council to order on Tuesday, May 17, 2016 at 7:00 pm.

**ATTENDANCE**

Present were Mayor Juliann M Owens and council members Shari Williamson, Marshal Sanders, Mark Bryant, and Troy Hanson. Bobby Stimatze was absent.

Staff members present were Pam Watson, Utilities Clerk; Cory Tagtow, City Superintendent; John D Beverlin II, City Attorney; and Adam Saylor, Chief of Police.

Meeting was filmed by Carol Riegel from the Sandyland Shepherd Center and was covered by Terry Spradley with The St. John News.

Citizens present were Mary Pat Haddican, Lisa Cornwell, and Tonya Sanders

**ADDITIONS TO THE AGENDA –**

1. Under Consent Agenda adding line 6 for approving the mayor's proclamation for National Police Week for May 15-21, 2016.
2. Under Consent Agenda adding line 7 for Hiring of Omar Portillo for summer help at \$8.25 per hour.

***Troy Hanson moved to approve the additions to the agenda. Seconded by Marshal Sanders. No Discussion. Motion Carried 4-0***

**CITIZEN COMMENT-NO COMMENTS**

**CONSENT AGENDA**

Marshal Sanders moved to approve the consent agenda which included the following items:

1. Approve Minutes for Regular Meeting on 05-03-2016.
2. Approve Appropriation Ordinance #05-17-2016 in the amount of: \$24,765.30.  
*General Fund-\$9,123.52; Jubilee Fund--\$2,590.39; Sewer Utility Fund-\$381.18; Water & Light-\$12,670.21*
3. Hiring of Returning Lifeguard Marsena Irvine at \$8.25 per hour effective upon completion of certification thru September 5, 2016.
4. Hiring of Miranda Gardner for part-time summer office staff at \$8.25 per hour and not to exceed 20 hours per week, effective May 17, 2016 thru September 1, 2016.
5. Arbor Day Proclamation for 2016
6. National Police Week Proclamation for May 15-21, 2016.
7. Hiring of Omar Portillo for summer help at \$8.25.

***Seconded by Mark Bryant. No Discussion. Motion Carried 4-0.***

**POLICE DEPARTMENT-NO REPORT**

**FIRE DEPARTMENT-NO REPORT**

**ADMINISTRATION – CITY CLERK**

In City Clerk, LaDona S Garcia's absence, City Superintendent, Cory Tagtow presented her report. He spoke on the upcoming 2017 Budget Workshop on June 4<sup>th</sup>. The workshop will begin at 8:00 am, all department heads and council members need to attend.

Tagtow informed council that Greg Wright from EMG was scheduled to attend the June 21<sup>st</sup> council meeting. The consensus of council was to have a special meeting at 6:00 pm to speak with him.

**ADMINISTRATION – SUPERINTENDENT**

Cory Tagtow presented the John Deere quote for a new mower for the City. Tagtow would like to use the new mower for parks, and the older mowers for extra code violation mowing that the City will be taking on this season.

Troy Hanson made a motion to buy the John Deere mower with 15% down, seconded by Marshal Sanders. Motion carried 4-0.

**CITY ATTORNEY-NO REPORT**

**OLD BUSINESS-**

Mayor Juliann M Owens spoke on the Grocery Store Task Force, as of now, no council member has recommended anyone to the city clerk. She asked if there were any recommendations. The council gave the recommendation of five people from the community to be on the Grocery Store Task Force. The council will contact Jon Mansel, Chad Fisher, Kim Hullman, Tonya Sanders, and Josh Meyer about being on the Grocery Store Task Force.

Marshal Sanders revisited the hiring of Lisa Cornwell as Grant Manager. There was discussion between council and Lisa Cornwell. It was the consensus of the council to go through budget training before deciding to hire Lisa Cornwell.

**NEW BUSINESS-**

Mayor Juliann M Owens recommended the appointments of Amy McVey and Esai Macias for the Board of Zoning Appeals and Planning Commission for a three year term until May, 2019.

***Marshal Sanders moved to approve the mayor's appointments of Amy McVey and Esai Macias to the Board of Zoning Appeals and Planning Commission for a three year term until May, 2019. Seconded by Mark Bryant. Motion Carried 4-0***

With no further business Mark Bryant moved to adjourn the meeting at 7:25 pm. Seconded by Marshal Sanders. No discussion. Motion Carried 3-1. Troy Hanson opposed.

Next regular council meeting will be Tuesday, June 7th, 2016 at 7:00 pm.

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Juliann M Owens, Mayor

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Pam Watson, Utilities Clerk



## City of St. John

115 East Fourth  
P.O. Box 367  
St. John, Kansas 67576  
(620) 549-3208  
Fax (620) 549-6188  
Website: [stjohnkansas.com](http://stjohnkansas.com)

March 22, 2016

Robert D Toot  
Po Box 294  
St John, KS 67576

Re: Resolution Number: 2016-05  
Dangerous and unfit structures  
St. John, Kansas

Dear Mr. Toot:

At the March 14, 2016 council meeting, the council adopted resolution number #2016-05 setting a date and time of 7:00p.m. on May 3, 2016 for the interest owners of all structures at 213 S Broadway St. John, Kansas to appear and address the council why these structures located at 213 S Broadway should not be condemned and ordered repaired or demolished. You are receiving this letter as an interest owner of these properties.

I have enclosed a copy of the adopted resolution and a copy of the public officer's report regarding your properties. As part of the city's efforts to clean up properties in town, the city has established a land bank. You may be able to claim a tax deduction by donating your property to the land bank. If you are interested or want additional information, please call City Hall at 620-549-3208.

Very Truly Yours,

LaDona S Garcia  
City Clerk

Enclosures:

Resolution 2016-05  
Public Officer's Report  
Pictures

# Stafford County Health Department

610 East First Avenue St John, Kansas 67576 Phone 620-549-3504

March 10, 2016

City of St John  
115 East Fourth Avenue  
St John, Kansas 67576

Dear Sir/Madame:

Due to lack of improvement of the property, and continued violations it is recommended that these properties be condemned.

Dorothy Toot property  
213 South Broadway  
St John, Kansas

This property is in violation of St John City ordinances as follows:

8-508 (3) Dilapidation.

8-508 (4) Structural defects

8-508 (8) Unightly appearance that constitutes a blight to the adjoining property, neighborhood or city.

8-509 (1) Dead trees and other unsightly growth

Structure at 302 East Hoole  
St John, Kansas 67576

8-506 (t) Windows and doors shall be in good repair.

8-507 Broken windows, open areas on skirting, trash/debris on property

8-508 (3) Dilapidation

8-508 (4) Structural defects.

Sincerely,

*Chelsea Keck RN*

Chelsea Keck RN  
Stafford County Health Department

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RESOLUTION NO.2016-05

**A RESOLUTION BY THE GOVERNING BODY  
OF THE CITY OF ST. JOHN, KANSAS FIXING TIME AND PLACE FOR  
INTEREST OWNERS TO APPEAR AND SHOW CAUSE WHY CERTAIN  
STRUCTURES SHOULD NOT BE CONDEMNED**

**WHEREAS**, the governing body of the City of St. John, Kansas is charged with the responsibility of enforcing the City Code; and

**WHEREAS**, the City Code contains Chapter IV, Article 5, pertaining to dangerous and unfit structures within the city limits of the City of St. John, Kansas providing the City the authority to have any unsafe, dangerous or unfit structure repaired or demolished; and

**WHEREAS**, the public officer has given written notice to the governing body that there are certain structures within the City which appear to be unsafe, dangerous or unfit for human habitation which notice is attached hereto and incorporated herein by reference as Exhibit "A"; and

**WHEREAS**, as provided in Exhibit "A", the public officer has determined that 213 South Broadway and 302 E. Hoole, St. John, Kansas, appear to be unsafe, dangerous, or unfit for human habitation; and

**WHEREAS**, in accordance with City Code Section 4-705, the governing body is required to fix a time and place at which the owners of the properties listed in Exhibit "A", the owners' agents, any lien holder of record, and any occupant of any of the structures may appear and show cause why the structures should not be condemned and ordered repaired or demolished.

**NOW, THEREFORE**, be it resolved by the governing body that all owners, owners' agents, any lien holder of record, and any occupant of the structures described on Exhibit "A" should be given notice in writing that they have the right to appear and show cause why such structure should not be condemned and ordered repaired or demolished; and

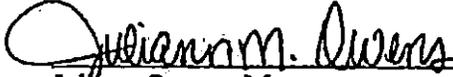
**BE IT FURTHER RESOLVED**, that this Resolution and Exhibit "A" shall be published once each week for two consecutive weeks on the same day of each week in the City's official newspaper; and

**BE IT FURTHER RESOLVED**, that the hearing shall be set before the governing body on May 3, 2016, at 7:00 p.m. in the City Hall of the City of St. John; and

**BE IT FURTHER RESOLVED**, that a copy of this Resolution shall be mailed by certified mail within three days after its first publication to each such owner, agent, lien holder and occupant at the last known address and shall be marked "delivered to addressee only"; and

**BE IT FURTHER RESOLVED**, the governing body, at such hearing, determine from information provided by the owner, agent, lien holder and occupant and City staff as to whether the structure is dangerous, unsafe or unfit for human use or habitation and shall make a determination as to what further course of action to take with respect to any structure which may include but not be limited to repair or demolition.

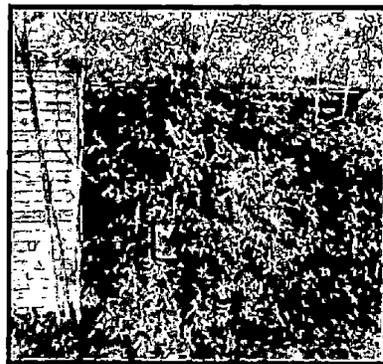
This Resolution is approved and adopted this 14th day of March, 2016, and it shall be effective upon publication in the official newspaper.

  
Julian Owens, Mayor

ATTEST:

  
LaDona Garcia, City Clerk

# 213 S BROADWAY



1-2-4  
1-2-4  
1-2-4



## ARTICLE 4. WEEDS

### 8-401. Weeds to be removed.

It shall be unlawful for any owner, agent, lessee, tenant, or other person occupying or having charge or control of any premises to permit weeds to remain upon said premises or any area between the property lines of said premises and the centerline of any adjacent street or alley, including but not specifically limited to sidewalks, streets, alleys, easements, rights-of-way and all other areas, public or private. All weeds as hereinafter defined are hereby declared a nuisance and are subject to abatement as hereinafter provided.

(Ord. 898, Sec. 1)

### 8-402. Definitions.

(a) Calendar Year as used herein, means that period of time beginning January 1st and ending December 31st of the same year.

(b) Weeds as used herein, means any of the following:

- (1) Brush and woody vines shall be classified as weeds;
- (2) Weeds and indigenous grasses which may attain such large growth as to become, when dry, a fire menace to adjacent improved property;
- (3) Weeds which bear or may bear seeds of a downy or wingy nature;
- (4) Weeds which are located in an area which harbors rats, insects, animals, reptiles, or any other creature which either may or does constitute a menace to health, public safety or welfare;
- (5) Weeds and indigenous grasses on or about any property because of its height, has a blighting influence on the neighborhood. Any such weeds and indigenous grasses shall be presumed to be blighting if they exceed 9 inches in height

(Ord. 898, Sec. 2, Revised 2004)

### 8-403. City superintendent; notice to remove.

The city council shall designate the city superintendent to be charged with the administration and enforcement of this article. The city superintendent or an authorized assistant shall notify the owner or his or her agent in charge of any premises in the city upon which weeds exist in violation of this article, by mail or by personal service, once per calendar year. Such notice shall include the following:

(a) The owner or his or her agent in charge of the property is in violation of the city weed control law;

(b) The owner or his or her agent in charge of the property is ordered to cut the weeds within 10 days of the receipt of notice;

(c) That the owner, occupant or agent in charge of the property may request a hearing before the municipal judge or its designated representative within five days of the receipt of the notice;

(d) That if the owner, occupant, or agent in charge of the property does not cut the weeds, the city or its authorized agent will cut the weeds, the city or its authorized agent will cut the weeds and assess the cost of

the cutting including a reasonable administrative fee, against the owner, occupant or agent in charge of the property;

(e) That if the owner, occupant, or agent in charge of the property will be given an opportunity to pay the assessment, and, if it is not paid, it will be added to the property tax as a special assessment.

(f) That no further notice shall be given prior to removal of weeds during the current calendar year;

(g) That the city superintendent should be contacted if there are any questions regarding the order.

If there is a change in the record owner of title to property subsequent to the giving of notice pursuant to this subsection, the city may not recover any costs of levy an assessment for the cost incurred by the cutting or destruction of weeds on such property unless the new record owner of title to such property is provided notice as required by this section.

(Ord. 898, Sec. 3, Revised 2004)

#### **8-404. Abatement; assessment of costs.**

(a) Upon the expiration of 10 days after receipt of the notice required by section 8-403, and in the event that the owner, occupant or agent in charge of the premises shall neglect or fail to comply with the requirements of section 8-401, the city superintendent or an authorized assistant shall cause to be cut, destroyed and/or removed all such weeds and abate the nuisance created thereby at any time during the current calendar year.

(b) The city superintendent or an authorized assistant shall give notice to the owner, occupant or agent in charge of the premises by restricted mail of the costs of abatement of the nuisance. The notice shall state that payment of the cost is due and payable within 30 days following receipt of the notice.

(c) If the costs of removal or abatement remain unpaid after 30 days following receipt of notice, a record of the costs of cutting and destruction and/or removal shall be certified to the city clerk who shall cause such costs to be assessed against the particular lot of piece of land on which such weeds were so removed, and against such lots or pieces of land in front of or abutting on such street or alley on which such weeds were so removed. The city clerk shall certify the assessment to the county clerk at the time other special assessments are certified for spreading on the tax rolls of the county.

(Ord. 898, Sec. 4)

#### **8-405. Right of entry.**

The city superintendent and the city superintendent's authorized assistants, employees, contracting agents or other representatives are hereby expressly authorized to enter upon private property at all reasonable hours for the purpose of cutting, destroying and/or removing such weeds in a manner not inconsistent with this article.

(Ord. 898, Sec. 5)

#### **8-406. Unlawful interference.**

It shall be unlawful for any person to interfere with or to attempt to prevent the city superintendent or the city superintendent's authorized representative from entering upon such lot or piece of ground or from proceeding with such cutting and destruction. Such interference shall constitute a code violation.

(Ord. 898, Sec. 6)

**§ 8-407. Noxious weeds.**

(a) Nothing in this article shall affect or impair the rights of the city under the provisions of Chapter 2, Article 13 of the Kansas Statutes Annotated, relating to the control and eradication of certain noxious weeds.

(b) For the purpose of this section, the term noxious weeds shall mean kudzu (*Pueraria lobata*), field bindweed (*Convolvulus arvensis*), Russian knapweed (*Centaurea picris*), hoary cress (*Lepidium draba*), Canada thistle (*Cirsium arvense*), quack grass (*Agropyron repens*), leafy spurge (*Euphorbia esula*), burragweed (*Franseria tomentosa* and *discolor*), pignut (*Hoffmannseggia densiflora*), musk (nodding) thistle (*Carduus nutans* L.), and Johnson grass (*Sorghum halepense*).

(Ord. 898, Sec. 7)