

## LeRoy City Council

### Minutes

December 4, 2023

Mayor Steve Cox called the meeting to order at 6:06 PM, followed by the Pledge of Allegiance.

Council members present Georgie Eggleston, Tim Harvey, and Sam Lingenfelter. Terry Tyler was absent from the meeting. One council seat is vacant.

Mayor Cox recommended the approval of the proposed December 4 meeting agenda by moving the public comments to after the warrants. Harvey moved to approve the proposed agenda with the Mayor's amendment. Lingenfelter seconded. Mayor Cox called for a vote. The motion passed 3/0.

Mayor Cox recommended the approval of the proposed minutes of the November 6 city council meeting. Lingenfelter moved to approve the November 6 city council meeting minutes. Eggleston second. Mayor Cox called for a vote. The motion passed 3/0.

Mayor Cox recommended that the city council approve paying the warrants/bills provided with the proposed agenda. Eggleston moved to approve payment of the warrants/bills. Harvey Seconded. Mayor Cox called for a vote. The motion passed 3/0

Mayor Cox asked for public comments. Cassandra Goodpasture spoke on behalf of her father's property at 726 Eleventh Street, LeRoy, Kansas.

Mayor Cox called a hearing to order on an unsafe or dangerous property at 726 11 Street LeRoy, Kansas. Mayor Cox presented evidence. Cassandra Goodpasture and Rusty Rollett appeared and presented evidence. Lingenfelter moved to adopt Resolution 2023-18, declaring the structure at 726 11 Street, dangerous and unsafe. Harvey seconded. Mayor Cox called for a vote. The motion passed 3/0.

Mayor Cox recommended the renewal of a CMB license for Luther's Smoke House, Terry's Bar, and The Pizza Parlor for the 2024 calendar year. Harvey moved to renew the CMB licenses for Luther's Smoke House, Terry's Bar, and The Pizza Parlor. Lingenfelter seconded. The Mayor called for a vote. The motion passed 3/0.

Mayor Cox recommended a \$300.00 Christmas bonus for full-time employees and \$100.00 to the Treasurer. Eggleston moved to give the full-time employees a \$300.00 bonus and the City Treasurer a \$150.00 bonus. Harvey seconded. The Mayor called for a vote. The motion passed 3/0.

Mayor Cox recommended increasing the City Superintendent, City Clerk, and Treasurer's hourly wage by 5%. Lingenfelter moved to give a 5% cost of living increase to the City Superintendent, City Clerk, and Treasurer. Harvey seconded. The Mayor called for a vote. The motion passed 3/0.

Harvey moved to adjourn. Eggleston seconded. The Mayor called for a vote. The motion passed 3/0.

**RESOLUTION NO. 2023-18**

**A RESOLUTION FOLLOWING HEARING ON UNSAFE OR DANGEROUS  
STRUCTURE**

WHEREAS the governing body has the power to cause the repair or removal of any structure located within the city which has become unsafe or dangerous. K.S.A. 121751(a); City Code § 4-601 *et seq.*

WHEREAS, the Mayor's duties include active and vigilant enforcement of laws and ordinances of the City. K.S.A. 15-301; City Code § 1-205.

WHEREAS, the Mayor is the designated enforcing officer charged with administering the law regarding dangerous and unfit structures.

WHEREAS, On October 2, 2023, the governing body received a written statement from the Mayor that the structure located at 726 Eleventh St. LeRoy, Kansas, is, among Other things, dangerous and unsafe.

WHEREAS, on October 2, 2023, the governing body issued Resolution No 2023-17 fixing December 4, 2023, at 6:00 p.m. at LeRoy City Hall, 713 Main Street, LeRoy, Kansas as the time and place for the owner, agent, lienholders, and occupants of the structure at 726 Eleventh Street to appear and show cause why such structure should not be condemned and ordered repaired or demolished.

WHEREAS, Resolution 2023-17 was published once per week for two weeks on the same day of each week in the Coffey County Republican Newspaper.

WHEREAS More than 30 days have elapsed between the last publication of

Resolution No 2023-17 and December 4, 2023.

WHEREAS, Norton Gene Rollett is the last known owner, agent, lienholder, or occupant of the structure at 726 Eleventh St. LeRoy, Kansas.

WHEREAS, the City Clerk mailed a certified letter marked "deliver to addressee only" containing Resolution No. 2023-17 to Norton Gene Rollett, at his last known address within three days after its first publication in the Coffey County Republican Newspaper.

WHEREAS, upon diligent review, Norton Gene Rollett is deceased, leaving five children: Cassandra Goodpasture; Eric E. Rollett; Rusty J. Rollett; Brandon D. Rollett; and Sarah Heller.

WHEREAS, the City Clerk mailed a certified letter marked "deliver to addressee only" containing Resolution No. 2023-17 to each of Norton Gene Rollett's children at their last known address.

WHEREAS on December 4, 2023, the governing body held a show cause hearing regarding the structure at 726 Eleventh St. LeRoy, Kansas.

WHEREAS, the governing body heard evidence submitted by the Mayor.

WHEREAS, the governing body heard evidence submitted by Cassandra Goodpasture and Rusty Rollett.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LEROY,  
KANSAS:

1. The WHEREAS clauses above are incorporated into this resolution.

2. The governing body being fully informed finds that, for the reasons set forth in the evidence submitted at the show cause hearing, the structure at 726 Eleventh St. LeRoy, Kansas, is unsafe or dangerous.
3. The governing body directs that the structure at 726 Eleventh St. LeRoy, Kansas, be repaired or removed and the premises made safe and secure.
4. A plan for repair or removal and to make the premises safe shall be submitted to the City Clerk by January 4, 2024. With physical repair or removal to begin within 30 days of the Mayor's approval of the plan.
5. If the owner of such structure fails to commence the repair or removal of such structure within the time stated in paragraph 4 or fails to diligently prosecute the same until the work is completed, the governing body will cause the structure to be repaired or razed and removed.

Passed by the council the 4<sup>th</sup> day of December 2023. APPROVED by the Mayor



*St Cox*

Steve Cox, Mayor

ATTEST:

*Kimi Alexander*  
City Clerk