



REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
January 23, 2020

Department Finance

Director Approval Lacey Lies

AGENDA ITEM Consider authorizing the abatement of nuisance taxes for 1001 W. Laurel.

SUMMARY RECOMMENDATION Director of Finance recommends the abatement of nuisance assessments for the property as follows:

Lot 1, Block 4, Concannon's Addition – 1001 W. Laurel - \$400.00

BACKGROUND The City assessed nuisance taxes on this vacant lot for 2017 mowing charges on August 9th, 2018. This lot was purchased by the Church of the Brethren in October 2018 in hopes of building a daycare facility in the future. The Church of the Brethren is asking the Commission to release the lien and remove the mowing violation fee of \$400.00, since they were not the owner of the property at the time and has since kept up on the property's maintenance.

BUDGET IMPACT The abatement of the nuisance taxes would have negligible impact on the City budget.

SUGGESTED MOTION I move to abate the nuisance taxes on 1001 W. Laurel.

SUPPORTING DOCUMENTS

1. Letter from the Church of the Brethren.
2. Release of Lien.

Church of the Brethren

920 West Myrtle
Independence, Kansas 67301

January 14, 2020

Kelly Passauer
Assistant City Manager
811 West Laurel, 2nd Floor
Independence, KS 67301

Dear Ms. Passauer:

I am Treasurer of the Independence Church of the Brethren and am writing on behalf of the church.

We purchased properties at 1005 W. Laurel (Nov. 2017) and 1001 W. Laurel (Oct. 2018) in hopes of building a daycare facility there at some time in the distant future.

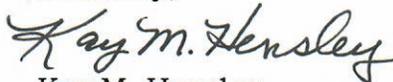
In May 2018, we received a letter that 1005 W. Laurel needed mowed. I contacted our mower who takes care of the church lawn and he immediately mowed it and has mowed it regularly since that time. We added the 1005 W. Laurel property to his schedule as soon as we purchased it.

When I paid the 2019 Property Taxes (even though we are a church, the properties are not exempt because we have not built anything on them), I was told that the 2018 taxes had not been paid, so I called to get the amount due. I was told there is a \$400 "nuisance" fee on the back taxes, so I contacted Lydia to find out why. She said it was from prior to our purchase (2017 on 1001 W. Laurel).

I am asking on behalf of the church if there is any possibility of having the nuisance fee (it is now \$438.56) waived?

We will appreciate any consideration you can give us.

Sincerely,



Kay M. Hensley
Church Treasurer

RELEASE OF LIEN FOR NUISANCE ABATEMENT

COMES NOW, the City of Independence, Kansas, a municipal Corporation, and hereby releases its lien for recovery of costs relating to nuisance abatement as assessed pursuant to City Ordinance No. 4275 as it pertains to the following property.

Lot 1, Block 4, Concannon’s Addition, City of Independence,
Montgomery County, Kansas (commonly known as 1001 West Laurel
Street, Independence, Kansas)

CITY OF INDEPENDENCE, KANSAS

By: _____
LEONHARD CAFLISCH, Mayor

ATTEST:

DAVID W. SCHWENKER, City Clerk

STATE OF KANSAS)

) SS:

MONTGOMERY COUNTY)

BE IT REMEMBERED, That on this ____ day of January 2020, before me, the undersigned, a Notary Public in and for the County and State aforesaid, personally appeared LEONHARD CAFLISCH, Mayor, and DAVID W. SCHWENKER, City Clerk, of the CITY OF INDEPENDENCE, KANSAS, a municipal corporation duly organized, incorporated and existing under and by virtue of the laws of the State of Kansas, and who are personally known to me to be the same persons who executed, the above and foregoing instrument of writing on behalf of said corporation, and such persons acknowledged the execution of the same to be the act and deed of said CITY OF INDEPENDENCE, KANSAS.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year last above written.

NOTARY PUBLIC

My commission expires: