



REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
March 26, 2020

Department Safety & Code Enforcement

Director Approval *David Cowan*

AGENDA ITEM Consider setting the date of May 28, 2020 for a public hearing to consider condemnation of 818 E. Edison Street as dangerous and unsafe.

SUMMARY RECOMMENDATION City staff recommends setting a public hearing date to consider condemning this property as dangerous and unsafe.

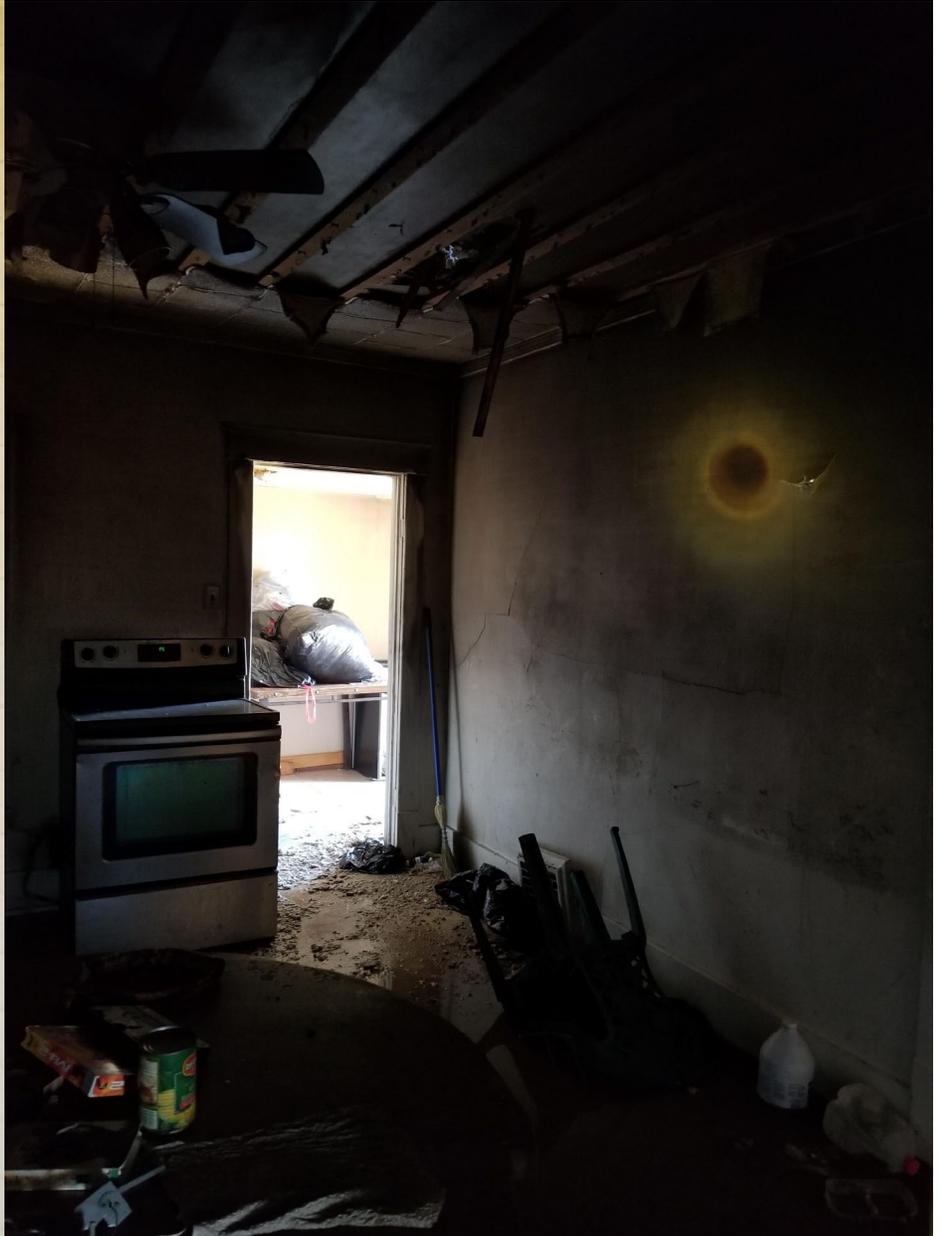
BACKGROUND On February 29, 2020, this structure was involved in a fire that did significant damage to a first-floor bedroom, bathroom and kitchen. The rest of the house has significant heat and smoke damage.

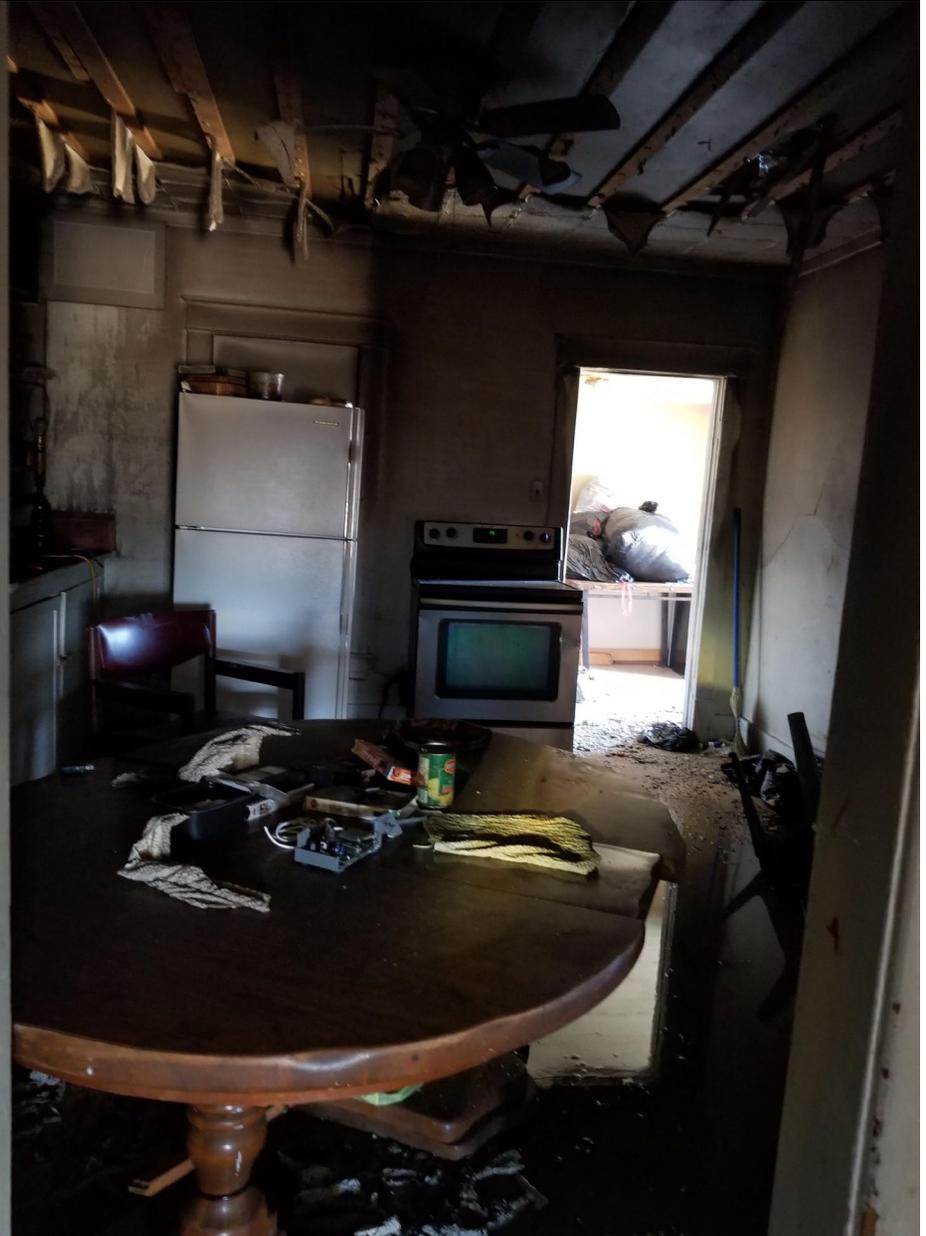
BUDGET IMPACT The budget impact would consist of the cost of demolition if the owner does not diligently pursue repair or removal.

SUGGESTED MOTION I move to set the date of May 28, 2020, at 5:30 p.m. for a public hearing to consider condemnation of the fire-damaged structure at 818 E. Edison Street.

SUPPORTING DOCUMENTS

1. Pictures
2. Resolution









March 2, 2020

Alisha Florio & Dale Uhls
2361 Gallot Rd
Peru, Ks. 67360

Dear Ms. Florio:

I am writing to inform you that the City of Independence will be asking the Commission on March 26, 2020, to set a date of May 28, 2020, to consider condemnation of the structure at 818 E. Edison Street as dangerous and unsafe.

To avoid having your residence condemned as dangerous and unsafe on May 28, 2020, I need for you to communicate with me your intentions with the property.

1. Do you plan to make repairs to the structure?
 - a. If yes, the City will need a timeline of repairs.
 - i. On a piece of paper, please provide information on who will be making the repairs and a timeline of completion of those repairs.
 - b. If no, you do not plan on making repairs to the house.
 - i. The City of Independence will proceed with condemnation and will work with you to have the structure removed or sold within a timeframe set by City Code.
2. If possible, I would like to inform the City Commission of your intentions on March 26 at 5:30 p.m. at the Veteran's Room at Memorial Hall. You are welcome to attend the meeting and inform the commission of your intentions if you desire, or you can communicate with me, and I can inform them.
3. If I do not hear from you by March 26, it will be **very important** that you communicate or attend the May 28, 2020 meeting to avoid condemnation of the property.

Please feel free to contact me at any time by calling 620-332-2528 or by email at davidc@independencesks.gov.

Thank You,

David Cowan, Building Inspector
City of Independence Kansas

RESOLUTION NO. 2020-014

A RESOLUTION FIXING A TIME AND PLACE AND PROVIDING FOR NOTICE OF HEARING BEFORE THE GOVERNING BODY OF THE CITY OF INDEPENDENCE, KANSAS, OF WHICH OWNERS, OWNERS AGENTS, LIEN HOLDERS OF RECORD AND ANY OCCUPANTS, IF ANY, OF THE STRUCTURE OR STRUCTURES IDENTIFIED BELOW, IN SAID CITY MAY APPEAR AND SHOW CAUSE WHY SAID STRUCTURE OR STRUCTURES SHOULD NOT BE CONDEMNED AND ORDERED REPAIRED OR DEMOLISHED PURSUANT TO K.S.A. 12-1751 ET. SEQ.

WHEREAS, the enforcing officer of the City of Independence, Kansas, did on the 26th day of March 2020, file with the Governing body of said City, statements and reports in writing that the structure or structures located on said properties hereinafter described are unsafe and/or dangerous:

Legal: Lot 141; Aganippe Park Addition to the City of Independence, Montgomery County, Kansas

Common Address: 818 E Edison Street

Mortgage:

NOW, THEREFORE, be it resolved by the Governing Body of the City of Independence, Kansas:

That a public hearing will be held on Thursday, **May 28, 2020** before the Governing Body of the City of Independence, Kansas, at **5:30 p.m.**, in the Veterans Room, Memorial Hall, Penn Ave. and Locust Streets, Independence, Kansas, at which time the owner, the owners agent, any lien holders of record and any occupant of the structure or structures located on the properties described herein, may appear and show cause why such structure or structures should not be condemned as unsafe and/or dangerous and ordered repaired or removed.

Be it further resolved that the City Clerk shall cause this Resolution to be published one time each week for two consecutive weeks on the same day of each week, that at least thirty (30) days shall elapse between the last publication and the date set for hearing and the City Clerk shall give notice of the aforesaid hearing in the manner provided by Ordinance and by law.

Be it further resolved by the Governing Body of the City of Independence that its authority for the actions set forth herein is established pursuant to K.S.A. 12-1751 ET. SEQ.

Adopted this 26th day of March 2020.

(SEAL)

Mayor

City Clerk