



REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
April 23, 2020

Department Safety & Code Enforcement

Director Approval *David Cowan*

AGENDA ITEM Public hearings to consider condemnation of the following structures as dangerous and unsafe:

1. 601 N. 8th
2. 1008 W. Laurel

SUMMARY RECOMMENDATIONS

1. City staff recommends condemning the property at 601 N. 8th Street as dangerous and unsafe.
2. City staff recommends adjourning the hearing for 1008 W. Laurel until 5:30 PM, June 25, 2020.

BACKGROUND

601 N. 8th Street

The City of Independence has received multiple complaints about the condition of the structure located at 601 N. 8th street. The owners of the property no longer live in Independence and the house has been empty for approximately 10 months.

1008 W. Laurel Street

This structure was involved in a fire on January 31, 2020. The fire caused substantial damage to the structure and wiring of the house rendering it uninhabitable. The owner has been diligently pursuing repairs and we anticipate completion of those repairs by June 25, 2020.

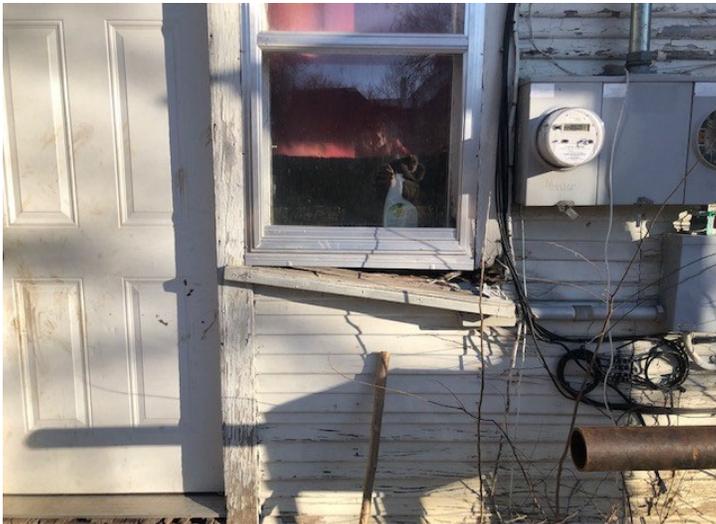
BUDGET IMPACT The budget impact would consist of the cost of demolition if the owners do not diligently pursue repair or removal.

SUGGESTED MOTION

1. I move to adopt a resolution condemning 601 N 8th Street as dangerous and unsafe.
2. I move that the hearing for 1008 W. Laurel be adjourned until 5:30 PM, June 25, 2020.

SUPPORTING DOCUMENTS

1. Pictures
2. Owner Letters
3. Resolution for 601 N. 8th Street



601 N. 8th Street



February 20, 2020

Patrick & Christina Jewers
601 N. 8th St.
Independence, Kansas 67301

Dear Mr. Jewers:

I am writing to inform you that the City of Independence will be asking the Commission on February 27, 2020, to set a date of April 23, 2020, to consider condemnation of your residence at 601 N. 8th Street as dangerous and unsafe.

In order to avoid having your residence condemned as dangerous and unsafe on April 23, 2020, I am needing 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 the 27th of February 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 the 27th of February, it will be **very important** that you communicate or attend the April 23, 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@independences.gov.

Thank You,

David Cowan

RESOLUTION NO. 2020-017

A RESOLUTION FINDING THAT THE STRUCTURE, OR STRUCTURES, LOCATED ON THE FOLLOWING TRACT/PARCEL IN THE CITY OF INDEPENDENCE, MONTGOMERY COUNTY, KANSAS, IS UNSAFE AND DANGEROUS AND ORDERED CONDEMNED AND DIRECTING SAID STRUCTURE, OR STRUCTURES, TO BE REPAIRED OR REMOVED AND THE PREMISES MADE SAFE AND SECURE. SAID REPAIR OR REMOVAL WILL COMMENCE WITHIN **30 DAYS** OF THE PUBLICATION OF THIS RESOLUTION.

Legal Description

Lot 38; Elmhurst Addition to the City of Independence, Montgomery County, Kansas

Common Address

601 N 8th Street

Mortgage

Peoples State Bank

WHEREAS, the Building Inspector of the City of Independence, Kansas, did on the 27th day of February, 2020, file with the Governing body of said City, a statement in writing that the structure, or structures, located on the above described tract/parcel is unsafe and/or dangerous; and

WHEREAS, the Governing body did by **Res. #2020—008**, dated **February 27, 2020**, fix a time and place of hearing at which time the owner, his or her agent, any lien holders of record and any occupant of such structure, or structures, could appear and show cause why such structure, or structures, should not be condemned and ordered repaired and/or demolished and further provided for the giving of notice thereof as provided by law; and

WHEREAS, such resolution was published in the official city newspaper on **March 11, 2020 and March 18, 2020**, a copy of such resolution and notice was mailed to the owner, his or her agent; any lien holders of record and any occupant of the structure, or structures, at his or her last known place of residence, at which hearing the governing body heard all persons and considered all evidence presented by interested parties, including the Building Inspector of the City of Independence, Kansas.

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

The said governing body hereby finds that the structure, or structures, located on the following described tract/parcel in the City of Independence, Montgomery County, Kansas:

RESOLUTION NO. 2020-017

Legal Description

Lot 38; Elmhurst Addition to the City of Independence, Montgomery County, Kansas

Common Address

601 N 8th Street

Mortgage

Peoples State Bank

Is unsafe and dangerous and constitutes a blight and therefore should be and is hereby condemned and it is hereby directed that such structure, or structures, be repaired or removed and the premises made safe and secure. The owner of the structure, or structures, is hereby given **30 days** from the publication of this resolution within which to commence such repair or removal and the premises made safe and secure. If the owner of such structure, or structures fails to diligently prosecute the same until the work is completed, said governing body will cause the structure, or structures, to be razed and removed, in order to make the premises safe and secure.

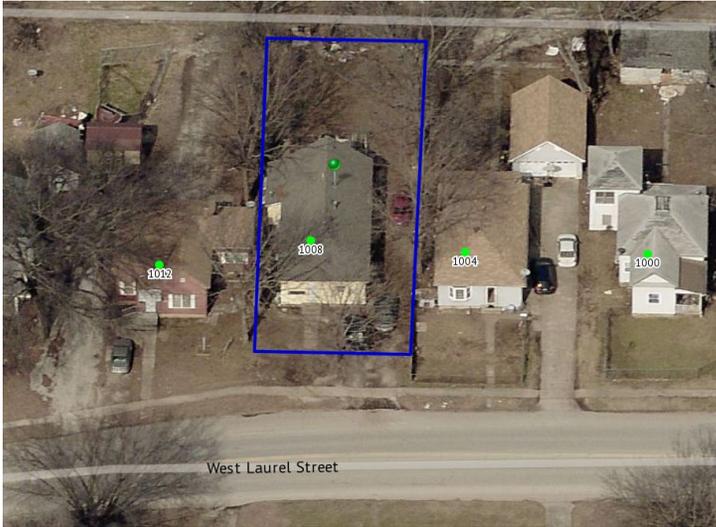
BE IT FURTHER RESOLVED, that the City Clerk shall cause this resolution to be published once in the official city newspaper and a copy mailed to the owner, his or her agent, lien holders and occupants as provided by law and a copy of said resolution shall be filed with the Montgomery County Register of Deeds.

Adopted this 23rd day of April, 2020.

(SEAL)

Mayor

City Clerk



1008 W. Laurel Street



February 18, 2020

Odessa Dunn
1008 W. Laurel Street
Independence, Kansas 67301

Dear Ms. Dunn:

I am writing to inform you that the City of Independence will be asking the Commission on February 27, 2020, to set a date of April 23, 2020, to consider condemnation of your residence at 1008 West Laurel Street as dangerous and unsafe.

In order to avoid having your residence condemned as dangerous and unsafe on April 23, 2020, I am needing 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.
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Thank You,

David Cowan