



REQUEST FOR COMMISSION ACTION

CITY OF INDEPENDENCE

September 24, 2020

Department Safety & Code Enforcement

Director Approval David Cowan

AGENDA ITEM Consider setting the date of November 19, 2020 at 5:30 PM for a public hearing to consider condemnation of 201 E. Main Street as dangerous and unsafe.

SUMMARY RECOMMENDATION City staff recommends setting the date of November 19, 2020 at 5:30 PM for a public hearing to consider condemnation of the above structure as dangerous and unsafe.

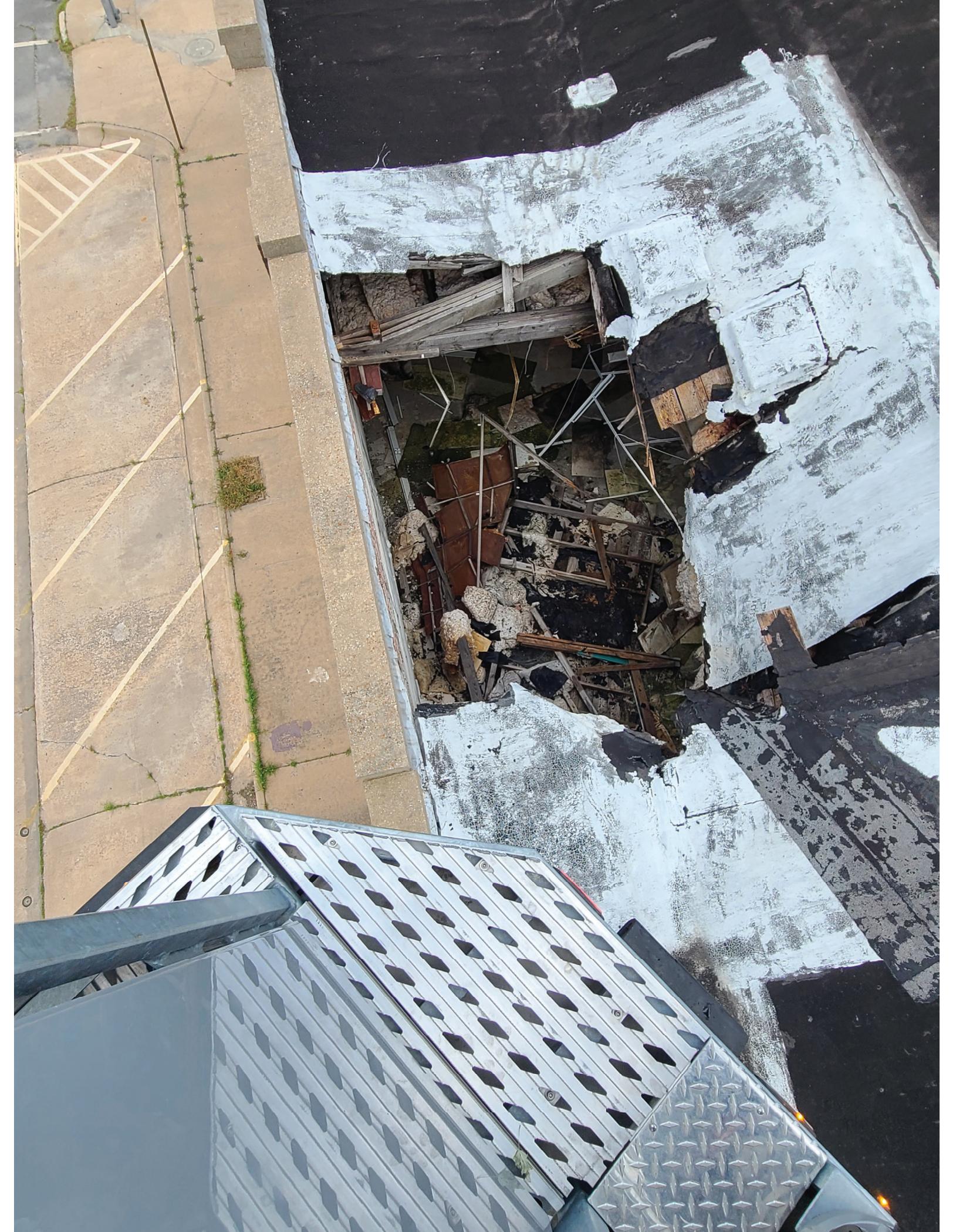
BACKGROUND The City of Independence Building Department noticed what appeared to be light in the building while driving by 201 E. Main. With the assistance of the fire department tower truck, the Building Department was able to discover several parts of the roof had collapsed with a large section along the West wall. City staff consulted two local architects and both felt it was necessary to barricade off the building to protect the public. City staff is working with the City Attorney to make contact with the owner and working on several possible options for this building.

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 November 19, 2020 at 5:30 p.m. for a public hearing to consider condemnation of 201 E. Main Street.

SUPPORTING DOCUMENTS

1. Pictures
2. Letter
3. Resolution











September 11, 2020

Doug Anderson
PO Box 181
Freelandville, Indiana 47535

Dear Mr. Anderson:

I am writing to inform you that the City of Independence will be asking the Commission on September 24, 2020, to set the date to consider condemnation of 201 E. Main

To avoid having your residence condemned as dangerous and unsafe on August 27, 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 within a timeframe set by City Code.
2. If possible, I would like to inform the City Commission of your intentions on August 27 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 August 27, it will be **very important** that you communicate or attend the August 27, 2020 meeting to avoid condemnation of the property.

Please feel free to contact me at any time by calling 620-332-2528, 620.330.0056 cell or by email at davidc@independencesks.gov.

Thank You,

David Cowan, Building Inspector
City of Independence Kansas

RESOLUTION NO. 2020-077

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 24th day of September 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: Block 53, Lots 10 – 13, Original Plat to the City of Independence, Montgomery County, Kansas

Common Address: 201 E Main 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, **November 19, 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 24th day of September 2020.

(SEAL)

Mayor

City Clerk