REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
February 27, 2020

Department Safety & Code Enforcement **Director Approval** *David Cowan*

AGENDA ITEM Setting the date for a Public Hearing -- 1008 W. Laurel

SUMMARY RECOMMENDATION City staff recommends setting the date of April 23, 2020, at 5:30 p.m. for a Public Hearing to consider condemnation.

BACKGROUND The Independence Fire-EMS responded to a structure fire at 1008 W. Laurel on the evening of January 31, 2020. The fire caused substantial damage to the kitchen and smoke and heat damage throughout the structure. The residence is insured and the insurance adjuster has determined it is not a total loss. The City of Independence has sent a letter to the owner asking for a timeline of repairs or if they intend to remove the structure but has no response from the owner at this time.

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

SUGGESTED MOTION I move to set the date of April 23, 2020, at 5:30 p.m. for a public hearing to consider condemnation of a fire damaged structure at 1008 W. Laurel Street.

SUPPORTING DOCUMENTS

1. Pictures
2. Letter to Owner
3. Resolution

1016
1012
1008
1004
1000
West Laurel Street
North 16th Street

CITY OF INDEPENDENCE KANSAS

"Delivering Excellence"

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.
        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@independenceks.gov .

Thank You,

David Cowan

RESOLUTION NO. 2020-007

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 27th day of February 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 10 Excluding the West 2', Block 13, York & Wilsons Addition to the City of Independence, Montgomery County, Kansas

Common Address: 1008 W.Laurel 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**, April 23, 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 27th day of February 2020.

(SEAL)

_____
Mayor

_____
City Clerk