

RESOLUTION 2019-008

A RESOLUTION TO GRANT AN ADDITIONAL 89 DAYS TO COMMENCE REPAIRS OF THE STRUCTURE LOCATED ON LOT 2, BLOCK 46, OF THE CITY OF PAOLA, MIAMI COUNTY, KANSAS COMMONLY KNOWN AS 115 W WEA, PAOLA, KANSAS,

WHEREAS, on October 9, 2018 the Governing Body of the City of Paola, Kansas adopted Resolution No 2018-010 setting the Public Hearing for December 11, 2018 regarding the structure located at 115 W Wea; and

WHEREAS, Resolution No 2018-013 was adopted December 11, 2018, by the Governing Body of the City of Paola, Kansas finding that the structure located on Lot 2, Block 46 in the City of Paola, Miami County, Kansas, commonly known as 115 W Wea, Paola, Kansas, as unsafe and dangerous and hereby direct such structure to be repaired and the premises made safe and secure. All repairs to commence by February 12, 2019 and be completed within 120 days of commencement in accordance with the adopted building codes for the City of Paola; and

WHEREAS, Resolution No. 2018-013 was published in the official city paper on the 19th day of December, 2018, and on the 19th day of December, 2018, and a copy of said resolution was served upon all persons entitled thereto as provided by law; and,

WHEREAS, the owners of record, Thomas and Jennifer Wright, on February 6, 2019, obtained a demolition permit to commence material and trash removal; and

WHEREAS on the 11th day of June, 2019, the Governing Body adopted Resolution No. 2019-004, allowing an additional 28 days to complete repairs on the structure located at 115 W. Wea and to appear before the council at the next regular council meeting on July 9, 2019, to give a report on the progress of the structure repair.

WHEREAS, on this 9th day of July, 2019, the Governing Body has heard all evidence submitted by the Enforcing Officer of the City, the owners, agents, lienholders and occupants of such structure.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF PAOLA, KANSAS:

1. That said Governing Body hereby grants the owner additional time to complete repairs on the structure located on Lot 2, Block 46 in the City of Paola, Miami County, Kansas, commonly known as 115 W Wea, Paola, Kansas.
2. The owner of such structure is hereby granted an additional 89 days to have the repairs completed to make the structure safe and secure. Provided, that upon due application by the owner and for good cause shown, the governing body, in its sole discretion, may grant the owner additional time to complete the repairs to the property.
3. If the owner fails to commence the repair of the structure within the time stated herein, or any additional time granted by the governing body, or fails to diligently prosecute the same until the work is completed, the governing body will cause the building to be

repaired or removed and the costs of repair or removal, less salvage if any, shall be collected in the manner provided by KSA 12-1-115, and amendments thereto or shall be assessed as a special assessment against the lot or parcel of land upon which the structure is located as provided by KSA 12-1755, and amendments thereto, or by both, all as provided by law.

BE IT FURTHER RESOLVED, that the building inspector shall provide monthly progress reports for repairs to the council and the owner shall appear before the council at the regular council meeting on October 8, 2019, to give a report on the progress of the structure repair.

BE IT FURTHER RESOLVED, that if the owner fails to commence the repair of the structure within the time provided herein or fails to diligently prosecute the same, the governing body may take such further action as it deems necessary to repair or raze and remove the structure without further notice to the owner or other parties of interest.

BE IT FURTHER RESOLVED, that the City Clerk shall cause this Resolution to be published once in the official city paper and a copy mailed to the owners, agents, lienholders, occupants and other parties of interest.

ADOPTED this 9th day of July, 2019.

Artie Stuterville, Mayor

ATTEST: [seal]

Daniel G. Droste, City Clerk