

RESOLUTION NO. 9289

A RESOLUTION introduced by Interim City Manager William E. Cochran to demolish the structure at 911 N. Kansas.

WHEREAS, the structure at 911 N. Kansas is owned by 911 N. Kansas LLC (“ the Property Owner”); and

WHEREAS, in 2016, as result of complaints of a caved-in roof resulting in debris falling off the structure at 911 N. Kansas (“the Structure”), the Property Maintenance department investigated and filed an unsafe structure case that resulted in numerous hearings before an administrative hearing officer; and

WHEREAS, on October 23, 2019, the administrative hearing officer, after granting numerous continuances to give the property owner time to consider other options, concluded that the Structure was so deteriorated as to be dangerous, unsafe, unsanitary or otherwise unfit for human habitation or occupancy and that demolition was warranted; and

WHEREAS, the administrative hearing officer ordered the Property Owner to demolish and remove the Structure on or before November 23, 2019; and

WHEREAS, on November 22, 2019, the Property Owner notified the City that it would appeal the order but has taken no steps to perfect the appeal to the district court; and

WHEREAS, the administrative hearing order provided that if the Property Owner did not demolish and remove the Structure, the City could do so and assess the costs against the Property Owner and that failure to pay the costs would result in a special assessment against the property; and

WHEREAS, the Property Owner has not demolished or removed the Structure.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE

28 CITY OF TOPEKA, KANSAS, that the City Manager is directed to proceed with
29 demolishing the Structure and utilizing up to \$200,000 from the reserve fund to do so.
30 Furthermore, the City Manager is directed to take whatever action is necessary to recoup
31 the cost from the Property Owner, including but not limited to imposing a special
32 assessment against the property.

33 ADOPTED and APPROVED by the Governing Body on February 1, 2022.

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CITY OF TOPEKA, KANSAS

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Michael A. Padilla, Mayor

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ATTEST:

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Brenda Younger, City Clerk