

January 11, 2017

A special meeting of the Chapman City Council was held January 11, 2017 at the Chapman City Office. Mayor Jeff Blixt called the meeting to order at 6:45pm. Council members present were Howard Battishill, Lee Wolf, Luan Sparks, Tim Jury and Jim Murrison. Also in attendance were City Attorney John Purvis, City Clerk Erin Tilton and Interim City Administrator Jay Newton. Also in attendance were Carol Lacer, Kevin Diercks, John Betz, Ty Lemon Brent Fahey, Kyle Fahey, Ken Fahey, Sandy Fahey, Bob Diehl, JoAnn Atkinson, Rod Geisler, Ryan Eldreadge, Austin Murphy, Linda Jark-Stoffer, Thaniel Monaco, Trevor Mosher, Molly Mosher, and Cindy Rose

Agenda #2 Conduct a hearing for 105 E 3rd St., Chapman, KS 67431 on condemnation and demolition and removal of debris

City Attorney John Purvis asked Ty Lemon, planning and zoning, questions on the record regarding the property at 105 E 3rd St.

Q: What is your position with the City of Chapman?

A: Code Enforcement/Building Inspection

Q: On or about 25 August 2016 did a structure come to your attention in the City of Chapman?

A: Yes, a small substructure located at the back of the building at 105 E 3rd St. had collapsed. There was a storm the night before and the wind blew the substructure down.

Q: What was the sub-structure made out of?

A: Clay tile block.

Q: Do you believe that the structure posed an emanate and direct threat to the safety and welfare of the city?

A: Yes, it did not fall completely. There were two walls somewhat standing that had not fallen completely.

Q: Was there an issue regarding a gas line that was located near the substructure?

A: Yes, there was a gas riser right next to that building. Kansas Gas was called and came to eliminate the proposed risk.

Q: Did the city staff then go ahead and pull the remainder of that wall down?

A: Yes, the rest of it was knocked down in a controlled manner.

Q: Was that done because you felt it was an immediate threat that it had to be done?

A: Yes, it was going to come down.

Q: Are you asking that the governing body find that the collapse of the structure attached to the rear of the building constitute as an immediate hazard as defined in Section 4-622 of the municipal code?

A: Yes

Q: Just to verify, we are only talking about the attached substructure, not the primary building, correct?

A: Yes, just the substructure itself.

Q: You are also asking the governing body find that immediate action without notice was warranted to protect life and property as pursuant to Section 4-612 of the municipal code?

A: Yes

Q: You are asking that the cost related to these actions be recovered as provided in Section 4-614 of the municipal code?

A: Yes

Q: Anything further that you would like the governing body to know?

A: I think we all knew it would come to this, it's just a matter of getting it cleaned up. We are also working with the structural engineer addressing the issues with the main structure of the building that will be addressed after the substructure is taken care of.

Q: Does the council have any questions for Mr. Lemon?

Q (Sparks): Has any contact been made with the property owner?

A: Roughly, six months ago he was able to touch base with the property owner through email. Since that time no contact of any kind has been made successfully.

Q (Jury): Have all attempts of communication been documented?

A: All points of attempted communication have been documented.

No other questions were asked as of Mr. Lemon.

Q: Is there anybody appearing on behalf of the property owner of 105 E 3rd St.?

No responses were noted.

John Purvis asked that the council pass Resolution No. 01112017 so that the structure located and attached to the rear of the building located at 105 E 3rd St., could be deemed an immediate hazard and the structure and debris therefrom be removed.

Motion by Sparks to pass Resolution No. 01112017, 2nd Jury, Vote: yes, unanimous. Motion carried.

Agenda #3 Adjournment

Motion by Wolf, 2nd Jury, Vote: yes, unanimous. Motion carried.