

RESOLUTION NO. 49-2025

A RESOLUTION PURSUANT TO K.S.A. 12-1750, *ET SEQ.*, DECLARING A CERTAIN STRUCTURE/PROPERTY WITHIN THE CITY OF LEON, KANSAS TO BE UNSAFE AND DANGEROUS, DIRECTING THAT SAID STRUCTURE/PROPERTY BE REPAIRED OR REMOVED, AND ESTABLISHING A REASONABLE TIME WITHIN WHICH SUCH ACTION MUST BE COMMENCED, ALL IN ACCORDANCE WITH K.S.A. 12-1750, *ET SEQ.*, AS AMENDED.

WHEREAS, pursuant to K.S.A. 12-1752, the Enforcing Officer filed a written statement with the Governing Body on May 5, 2025, describing the unsafe or dangerous conditions of the structure located at the property described below;

WHEREAS, at its May 5, 2025 regular meeting, the Governing Body of the City of Leon, Kansas adopted Resolution No. 47-2025 setting a hearing for May 19, 2025, before the Governing Body of the City at 7:00 p.m., in the Meeting room of the Leon City Hall to appear with the City Council, at which time the owner, his agent, any lienholders of record, and any occupants of the structure located at the real property commonly known as 605 N. Olive, Leon, Butler County, Kansas, the legal description of which is set forth in Section Two of this Resolution, may appear and show cause why such structure should not be condemned as unsafe or dangerous and ordered repaired or removed;

WHEREAS, in accordance with K.S.A. 12-1752, Resolution No. 47-2025 (ATTACHEMENT A) was published in the official newspaper on May 12, 2025, with a second publication date of May 19, 2025;

WHEREAS, in accordance with K.S.A. 12-1752, a copy of Resolution No. 47-2025 was mailed by certified mail or personally delivered to the owner of record of the subject property, the owner's agent, lienholders of record, and other known stakeholders within three (3) days of its first publication in the official newspaper;

WHEREAS, in accordance with K.S.A. 12-1752, at least thirty (30) days have elapsed between the initial publications of the prior Resolutions and the publication of Resolution 47-2025, a date was agreed upon by all parties for the date to be May 19, 2025, for the hearing; and

WHEREAS, at its May 19, 2025, Public Hearing meeting, in accordance with K.S.A. 12-1750 *et seq.*, as amended, the Governing Body considered the structure/property at 605 N. Olive.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LEON, KANSAS:

SECTION ONE: The above-stated recitals are incorporated herein by reference as if fully stated in this section.

SECTION TWO: The structure/property in question is located on the real property commonly known as 605 N. Olive, Leon, Butler County, Kansas with the legal description:

NOE'S NORTH ADD, S21, T27, R06E, BLOCK F, Lot 2, 13666 SQUARE FEET, CITY OF LEON, BUTLER COUNTY, KANSAS.

SECTION THREE: In accordance with K.S.A. 12-1750 *et seq.*, as amended, the Governing Body, having heard all evidence submitted by the owner of record, the owner's agent, any lienholder of record, any occupants having an interest in the structure, as well as evidence submitted by the Enforcing Officer, who filed the written statement as required by statute, hereby finds that the structure in question is unsafe and dangerous and hereby orders that said structure/property be repaired or removed and that the owner of record shall commence the repair by obtaining all required building permits or removal of said structure/property on or before February 19, 2026. (ATTACHMENT B)

SECTION FOUR: Accordingly, pursuant to K.S.A. 12-1750 *et seq.*, as amended, the Governing Body hereby orders the owner of record of 605 N. Olive either to repair the structure/property or to raze and remove said structure/property until the premises are made safe and secure and further orders that the owner of record must commence the repair or removal of said structure/property on or before February 19, 2026. (ATTACHMENT B)

SECTION FIVE: If the owner of record fails to comply with Sections Three and Four of this Resolution along with ATTACHMENT B, or fails thereafter to diligently prosecute the same until the work is completed and the premises are made safe and secure, the Governing Body hereby directs the Enforcing Officer to raze and remove the structure/property.

SECTION SIX: If the owner of record fails to comply with Sections Three and Four of this Resolution along with the ATTACHMENT B, or fails thereafter to diligently prosecute the same until the work is completed and the premises are made safe and secure and if such work subsequently is undertaken by the Enforcing Officer, then the Governing Body directs the Enforcing Officer, in accordance with K.S.A. 12-1750 *et seq.*, as amended, to keep an account of the costs of such work, to sell any salvage from the structure in question, and to apply any proceeds from those sales to the costs of razing and removing said structure/property and making the premises safe and secure. Any moneys that may be received from salvage that are in excess of the costs of razing and removing the structure/property to make the premises safe and secure, including the costs of publication and the costs of postage for mailing notices, shall, after the payment of those costs, be paid to the owner of the subject property.

SECTION SEVEN: If the owner of record fails to comply with Sections Three and Four of this Resolution along with the ATTACHMENT B, or fails thereafter to diligently prosecute the same until the work is completed and the premises are made safe and secure and if such work subsequently is undertaken by the Enforcing Officer and the costs of doing such exceed the moneys realized by any sale of salvage, then the Governing Body directs the Enforcing Officer to give notice to the owner of record of the total costs incurred by the City, less any receipts for the sale of salvage. If those costs, if any, are not paid within thirty (30) days of the service of the notice, then the Governing Body directs City staff to collect such costs in the manner provided by K.S.A. 12-1,115 or to assess such costs as a special assessment against the real property, all in accordance with K.S.A. 12-1750 *et seq.*, as amended.

SECTION EIGHT: The City Clerk is directed to cause a copy of this Resolution to be published one (1) time in the official newspaper and to mail, by certified mail, copies of the Resolution to the owners, agents, lienholders of record, and any occupants of said structure within three (3) days after the publication of this Resolution, all in the manner provided by law.

ADOPTED by the Governing Body this 19 day of May, 2025.

SIGNED by the Mayor this 19 day of May, 2025.

Kristina Semisch
Mayor

ATTEST:

Opdie Audley
City Clerk



ATTACHMENT A

CITY OF LEON, KANSAS

RESOLUTION NO. 47-2025

A RESOLUTION ESTABLISHING A PUBLIC HEARING AND SETTING FORTH EXPECTATIONS FOR PROPERTY COMPLIANCE AND FINALIZATION

WHEREAS, the City of Leon, Kansas, is committed to ensuring that all properties within city limits maintain standards that promote public health, safety, and neighborhood integrity; and;

WHEREAS, the City has identified properties or projects that require further compliance or resolution and wishes to provide a transparent and structured process for addressing these matters;

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

1. Public Hearing Scheduled

A public hearing is hereby scheduled for May 19, 2025, at 6:30 pm to discuss the conditions and necessary steps for compliance or completion regarding improvement and/or abatement of the following addresses: 204 N. Bluestem Rd., 605 N. Olive, 204 W. Charles, 400 N. Main St., 315 W. North St., 402 West St., 410 West St., 1201 N. Olive St., 314 W. Mechanic St., 425 W. Mechanic St., 212 Mill Rd., 1103 N. Olive St., 318 W. Sullivan Ct., 302 E. Vine St., 603 N. Main St., 319 W. Mechanic St., 312 W. South St.

2. Checklist Meeting

This week, May 6th through the 9th, 2025, the responsible party shall schedule a meeting with the City Manager to receive a compliance checklist. This checklist outlines what is expected for the property or project to be considered complete.

- The checklist will not be a step-by-step directive but a summary of end-goal expectations.
- The responsible party must contact the City Office to arrange this meeting and set an appointment.

3. Council Review and Feedback

The City Clerk will distribute the checklist to the Governing Body for individual review. Each council member will submit their feedback independently. If there are conflicting views, the City Manager will work with the council to find a balanced resolution prior to the hearing.

4. Resolution Outcome

At the public hearing:

- The final resolution will be presented with a proposed completion deadline.
- The responsible party will be informed of expectations and given the opportunity to provide updates or reasoning for any projected delays.

5. Delays and Extensions

If the responsible party is making substantial progress (75% or more) but is delayed due to factors such as:

- Contractor scheduling
- Product or material delays
- Weather events

They are fully responsible for notifying the city before the deadline and must request to be placed on the next meeting agenda to discuss an extension.

Final Note:

We all want what is best for the community. This process is designed not to burden residents but to ease strain on citizens, city staff, and council members while promoting clear communication, accountability, and mutual cooperation.

PASSED AND APPROVED by the Governing Body of the City of Leon, Kansas, this 5 day of May, 2025.

SIGNED AT MEETING

Kristina Semisch, Mayor

ATTEST:

SIGNED AT MEETING

Jodie Laidler, City Clerk/Manager

SEAL

SEALED AT MEETING

ATTACHMENT B

PROPERTY ADDRESS: 605 N Olive

Property owner's name: Jeff Elliott

Stipulations:

1. The garage must be roofed and have a working door by February 19, 2026. All vehicles must be legally registered.
2. Abatement procedures will begin if 75% of conditions are not completed and exceptions or extensions are not given at the January 5, 2026, meeting.