

**City of Sedgwick
City Council Meeting
June 19, 2024**

TO: Mayor and City Council

SUBJECT: Distressed Property 311 N. Lincoln

INITIATED BY: Administration

AGENDA: Old Business

Recommendation: Authorize the demolition and remediation of materials located on the property at 311 N. Lincoln Ave. Sedgwick, KS 67135.

Background: The timeline attached herein shows that since the date of the fire, the property owner has had 1 year and 7 months to remediate the unsafe structure located at 311 N. Lincoln Ave in Sedgwick, KS. The building is in a residential area and open to the elements and anyone passing through. The property owner was sufficiently notified on August 15, 2023, that the structure and surrounding materials needed to be cleaned up within 90 days to avoid future violations. The governing body gave Mr. Jacob an extension to the 90 days on February 21, 2024, during a show cause hearing for the property. On June 5, 2024, the governing body agreed to give Mr. Jacob another 14 days to remedy the issues.

In its current condition, the structure continues to present a hazard to the public and a violation of the current municipal code. As mentioned in the June 5, 2024, meeting, there was another property that suffered a structural fire along the same time frame as this property which was resolved in a timely manner compliant with our current practices. It is understood that residential fires and commercial fires differ, however, current practices hold all structure types and remediation timelines the same.

Financial Considerations: During the June 5, 2024, council meeting, Mr. Jantz advised the council that the insurance proceeds that are being held could be utilized by the city to remediate the property. At this time, it is unclear what the dollar amount would be to remediate the property. If authorized, the city would obtain three bids for demolition companies and move forward per our procurement policy. Any money spent on the remediation of the property would be charged back to the property owner through an assessment of the property.

Recommendations/Actions: It is recommended that the governing body authorize the demolition and remediation of materials located on the property at 311 N. Lincoln Avenue.

Attachment: Images

Timeline of Events

November 23, 2022 – Fire occurs at 311 Lincoln Ave. Sedgwick, KS 67135 causing significant structural damage.

December 8, 2022 – Demolition permit obtained by Mark Jacob for 311 Lincoln Ave.

August 15, 2023 – Certified letter mailed to Mr. Jacob from Jantz Law Office on behalf of the City of Sedgwick requesting the existing code violations and unsafe structure be addressed within 90 days.

November 15, 2023 – Resolution 01042024B brought before the governing body requesting a show cause hearing for the distressed property at 311 Lincoln Ave. Meeting minutes confirm that the governing body voted to give Mr. Jacob until December 31, 2023, to fully demolish and clean up the property.

February 21, 2024 – Resolution 02212024 was brought before the governing body during the show cause hearing giving the City authority to remediate the property if the existing code violations and unsafe structure was not addressed within 90 days.

April 17, 2024 – Mr. Jacob, Mayor Chapman, Brad Jantz and Kyle Nordick have a meeting upon the conclusion of the regular council meeting. Mr. Jacob was informed that the zoning of the property at 311 Lincoln Avenue reverts back to residential usage and that the building and items on the property would need to be remediated in a timely fashion. Mr. Jacob was advised that he could file for a zoning variance with the Planning & Zoning board if he pleased. To date, that application has not been filed.

May 21, 2024 – Deadline for the property owner to remediate the issues passes. The building still stands in its current state.

June 5, 2024 – Discussion regarding the distressed property takes place during the regular council meeting. It was voted on and approved to give Mr. Jacob until June 19, 2024 to have the structure demolished.



