

MINUTES - CONDEMNATION HEARING  
OVERBROOK CITY COUNCIL

APRIL 8, 1992

DEFENDANT: MRS VELMA VANN.

PLAINTIFF; THE CITY OF OVERBROOK

MEMBERS PRESENT; J.A.CORDTS, MARK CRIGER, MAYOR RICHARD HAMIT

MEMBERS ABSENT; DALE FOX, CAROLYN MEERIAN

OTHERS PRESENT; STEVE JONES, LEO VANN, CHERYL BROWN, BRUCE SMITH,  
RON DEAN, ED HARMISON.

The hearing was convened at 8:00<sup>pm</sup> with the members of the City Council acting as hearing officers, Mayor Richard Hamit spokesperson.

Hamit announced a resolution had been published in the Osage County Chronicle February 20, 1992 in reference to the condemnation of property owned by Velma Vann, Carbondale, Kansas and located within the city limits of the City of Overbrook.

Mrs.Vann requested the hearing be postponed because her attorney could not attend tonight. Steve Jones noted this was the time and date set for the hearing. He said if the situation is serious enough to come to this, it should be held on the day it is set for. Mayor Hamit said the city had done everything that was appropriate and directed by law and the hearing was advertised for tonight. The council agreed by consensus not to post pone the hearing and proceed as advertised. Mrs. Vann said they would not agree to anything until ~~their~~ attorney is present. Hamit presented pictures of the building. It was noted Ron Dean had taken the pictures February 11, 1992 showing the state of disrepair of the property.

It was noted both the city clerk and the police chief had received numerous complaints in regard to the dangerous condition of the property. Bruce Smith, building inspector, testified he had inspected the premises and had found the structure to be unsafe and dangerous to the point the house is falling down with no possibility of repair.

Ron Dean testified he had been in the house just prior to the time he had taken the pictures. He said when this rabies epidemic began he ran into a problem of skunks, raccoon, cats etc. He said as shown in the pictures, the house is full of different kinds of animals. He had to go in because he watched a raccoon that was very sick go in and he had to enter the house to trap the animal so he could destroy it. As time went by, there were more and more animals going in and out of the house. He said it is a real animal hideout. He also said he had witnessed small children playing in and around the house. Dean said the floor gave way when he went in to trap a sick cat.

Ed Harmison, Fire Chief testified that it is a real fire hazard.

Mrs. Vann questioned the problem with animals, she also questioned the drainage problems. She said she wanted that addressed before anything is done about the house. Steve Jones noted the condition of the house is so dangerous he did not advise the council to wait. She said sewer water had flooded the place many times. She said it was a real problem around 10 years ago. Smith said the new lift station carries all the sewage.

Steve Jones said the first decision the council should make was is this unsafe and dangerous. J. A. Cordts made a motion, seconded by Mark Criger that the structure is unsafe and dangerous. Motion carried unanimously.

Jones also said the council should direct if the structure should be repaired or removed and the premises made safe and secure per state statute. Dennis Graves made a motion, seconded by Mark Criger that the structure must be repaired or removed and the premises be made safe and secure. Motion carried unanimously.

J. A. Cordts made a motion, seconded by Mark Criger directing that if Mrs. Velma Vann fails to commence repair or removal of the structure on or before May 1, 1992 or diligently prosecute same until it is completed, the city will then cause the structure to be razed and a lien will be placed against the property by notifying the Osage County Clerk. Motion carried unanimously.

Jones noted the resolution should be published once in the city newspaper and the city clerk be authorized and directed to mail a copy of the resolution by certified mail within three days.

Mildred J. Cannon  
City Clerk

APPROVED May 20, 1992 \_\_\_\_\_