

**City of Caney, KS
Regular Council Meeting Agenda
Monday, August 19, 2024 – 6:30 p.m.**

1. CALL TO ORDER

2. ROLL CALL

Zach Ellison		Justin Harkey				Lori Patterson	
Valerie Hurd		Kenith Butts		Addie Traxson		Debbie Wood	

3. PLEDGE OF ALLEGIANCE

4. INVOCATION

5. CONSENT AGENDA

The items listed below are considered to be routine by the City Council and may be approved in one motion.

A. Approval of the City Council meeting minutes of August 5, 2024

B. Approval of Appropriations and Payroll Ordinance No. 08/19/2024.

Motion made by _____; seconded by _____. Vote: _____

C. Approval of expenses from Main Street Auto & Tire.

Motion made by _____; seconded by _____. Vote: _____

6. OLD BUSINESS

A. Discussion, consideration, and action on Caney Grocery Store finances.

Motion made by _____; seconded by _____. Vote: _____

7. NEW BUSINESS

A. Resolution 2024-19 for condemning property at 417 N State.

Motion made by _____; seconded by _____. Vote: _____

8. EXECUTIVE SESSION

To discuss confidential information relating to non-elected personnel according to K.S.A 75-4319 b(1). Possible action can be taken.

Motion made by _____; seconded by ____ to recess into Executive Session to discuss confidential information relating to non-elected personnel according to

K.S.A 75-4319 b(1) for 20 minutes to include the City Council, Mayor, City Administrator, and City Clerk. Entering in at _____ and returning to regular session at _____; seconded by _____. Vote: _____

Motion made by _____; seconded by _____ to return to Regular Session at _____. Vote: _____.

9. PUBLIC COMMENTS

The Council only allows public comments from anyone who has filled out a "Request for Communication with City Council." Comments shall be limited to 3 minutes unless extended by a majority of the Council. The Council does not hear matters involving litigation or City Personnel. The Council does not take action on subjects not on the agenda unless unusual or hardship conditions exist.

10. DEPARTMENT REPORTS

Mayor Joshua Elliott
City Administrator Kelley Zellner
Grocery Store Committee

11. COUNCIL COMMENTS

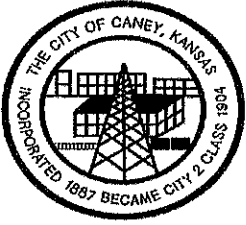
Council Member Hurd
Council Member Ellison
Council Member Patterson
Council Member Butts
Council Member Traxson
Council Member Wood
Council Member Harkey

12. INFORMATIONAL ITEMS

Next City Council Meeting: Monday, September 2, 2024 at 6:30 p.m.

13. ADJOURNMENT

Motion made by _____; seconded by _____. Vote: _____



CITY OF CANEY

100 W 4th Ave P.O. Box 129 Caney, Kansas 67333

Phone: (620) 879-2772 www.caneyks.com Fax: (620) 879-9808

Date: 8/13/2024

To: Shaughn Daniel, 417 N State ST, Caney, Kansas, 67333

From: Caney Code Enforcement

Re: Act of Condemnation – Unsecured Structure

This letter is to advise you that the property address: 417 N State Street, in the city limits of Caney, Kansas, is currently under the act of condemnation.

Ownership of this property is listed in the name of: Shaughn Daniel.

CODE OF THE CITY OF CANEY, KANSAS: CHAPTER 8, "HEALTH & WELFARE", ARTICLE 9. "MINIMUM HOUSING CODE, SECTION 8-908 "DESIGNATION OF UNFIT DWELLINGS"

Your property has been designated as unfit for human habitation; conditions existing in this structure which are dangerous or injurious to the health, safety or morals of the occupant of such buildings or other residents of the neighborhood, and which has a blighting influence on properties in the area.

1. Defects therein increasing the hazard of fire, accident, or other calamities.
2. Lack of (C) cleanliness, (D) Sanitary facilities
3. Dilapidation
4. Disrepair
5. Structure Defects
6. Unsightly appearance that constitutes blight to the adjoining property, neighborhood, or city.

You were granted one year to bring these matters into correction, by putting a new roof on your house, to qualify for the Renovation Grant. As nothing has been done by you to improve the uninhabitable condition of the living structure at 417 N State, ST, Caney, KS, your formal **Hearing** for said property has been set for **August 19, 2024 @ 6:30 PM in the City Hall Council Chambers, during the regular Caney City Council Meeting.**

Sincerely,

Nigel Flenar, Code Officer

RESOLUTION NO. 2024-19

A RESOLUTION CONDEMNING CERTAIN PROPERTY WITHIN THE CITY OF CANEY, KANSAS, AND ORDERING THE PROPERTY TO BE REPAIRED OR DEMOLISHED.

WHEREAS, on August 19, 2024, the Governing Body of the City of Caney adopted Resolution No. 2024-19, thereby directing the owner, owner's agent, lienholders of record, and any occupants of the property/structure located 417 N State ST (the "Property") in the City of Caney, Kansas, to appear and show cause why the Property should not be condemned and ordered to be repaired or demolished; and

WHEREAS, Resolution No. 2024-19 established a show-cause hearing date and location of Aug. 19, 2024, at 6:30 P.M., at the City Council's meeting room; and

WHEREAS, a copy of Resolution No. 2024-19 was delivered by the City Code Enforcement Officer to the owner of record, and published in the official City newspaper; and the show-cause hearing was conducted in accordance with the City's Code of Ordinances.

NOW THEREFORE, after hearing evidence presented, and being advised in the premises, the Governing Body of the City of Caney finds and orders, as follows:

1. The Property, as more fully described below, is determined to be unsafe or dangerous, to-wit:

FIRST ADD, S12, T35, R13, ACRES 0.19, S 10' LT 4; LTS 5 & 6 BLK 39,
Lot Width: 0.60.0 Lot Depth: 142.0, City of Caney, Montgomery County, Kansas,
commonly known as: 417 North State Street, Caney, Kansas.

2. The owner and any other interested persons be and are hereby directed to repair or remove the unsafe or dangerous conditions and make the premises safe and secure. The repairs or removal shall commence within 60 days from the date this Resolution is adopted. If the owner of such structure fails to commence the repair or removal of such structure within said time or fails diligently to prosecute the same until the work is completed, the City, or its contractor, is authorized and directed to cause the unsafe or dangerous conditions to be removed.
3. Notice of any costs incurred by the City to make the Property safe and secure shall be given to the owner, according to law. If the cost is not paid within 30 days, the cost shall be assessed against the Property, as provided by law.
4. This Resolution shall be published once in the official city paper and a copy mailed to the owner(s), owner's agent(s), lienholder(s) of record, and any occupant(s) of the property, in the same manner provided herein for the notice of hearing.

ADOPTED BY THE GOVERNING BODY of the City of Caney, Kansas, on this day of: Aug. 19, 2024,

Joshual Elliott, Mayor

ATTEST:

Wendy Wickham, City Clerk

Property Details for PID: 0632511203009008000

Shareable link to Property Information : <https://www.kansasgis.org/orka/permalinkprop.cfm?parcelId=0632511203009008000>

Shareable link to Map: <https://www.kansasgis.org/orka/permalink.cfm?parcelId=0632511203009008000>

QuickRef ID : R22188

Owner Name : DANIEL, SHAUGHN

Location: 417 N STATE ST, Caney, KS 67333

Abbreviated Boundary Description: FIRST ADD, S12, T35, R13, ACRES 0.19, S 10' LT 4; LTS 5 & 6 BLK 39; Lot Width: 060.0 Lot Depth: 142.0

Owner Information:

Owner DANIEL, SHAUGHN

Mailing Address 417 N STATE ST CANEY, KS 67333

Property Information:

Type Residential

Status Active

Taxing Unit 103 CANEY CITY

Neighborhood Code 103.F

No Secondary Address Details found

Market Land Details:

Actual Width: 0

Eff. Width 0

Eff. Depth 0

Acres 0

Square Feet 8,276

No Permit Details found

Deed Book Page Details

Book Page

727 039

Additional Deed Book Page Details

Deed Book/Page 727/039 418 /132 372 /329

Value Details

Year 2024

Land \$9,630.00

Current Final Value (Residential)

Building \$4,780.00

Total \$14,410.00

Year 2023

Land \$9,720.00

Current Final Value (Residential)

Building \$4,330.00

Total \$14,050.00

Dwelling Details

Story Height

1 1/2 Story Finished

Style

Old Style

Year Built

1912

Total Sq Ft Living Area 1469 Main Floor Living SqFt: 924 Upper Floor Living Pct:

Total Rooms: 7 Bedrooms: 4 Remodel Year:

Full Baths: 1 Half Baths: 0 Basement: Crawl - 2

Depreciation Rating: VP Physical Condition: VP- Quality: AV-

No Manufactured Home Details found

Additional Dwelling Details

Residential Component Units Quality Year Built

Enclosed Wood Deck, Solid Wall 91

Wood Deck with Roof 154

Frame, Siding/Shingle 100%

Composition Shingle 100%

Plumbing Fixtures 5

Other Improvements

(m) Lighting. Every habitable room shall have a ceiling electric outlet and a duplex outlet in wall or floor, or at least two wall or floor outlets.

(n) Lighting of Toilets and Bathrooms. Every toilet and every bathroom in every dwelling shall have at least one electric light in either the ceiling or on the wall.

(o) Plumbing. All plumbing, water closets and other plumbing fixtures in every dwelling or dwelling unit shall be maintained in good working order.

(p) Privies. All pit privies, privy vaults, "dry hopper" sewer-connected privies and frost-proof closets are hereby declared to be a public nuisance.

(q) Toilet Facilities. There shall be at least one flush water closet in good working condition for each dwelling unit, which flush water closet shall be located within the dwelling and in a room which affords privacy.

(r) Ventilation. Every habitable room in a dwelling or dwelling unit shall contain a window or windows openable directly to the outside air and the total area of such window or windows shall be not less than five percent of the floor area of such room. An approved system of mechanical ventilation or air conditioning may be used in lieu of openable windows. Such system shall be capable of providing not less than four air changes per hour, except that in toilet compartments such system shall provide a complete air change every five minutes.

(s) Water Heating Facilities. Every dwelling shall have supplied water heating facilities which are installed in an approved manner and are maintained and operated in a safe and good working condition and are properly connected with the hot water lines to the kitchen sink, lavatory and bathtub or shower.

(t) Windows and Doors. Every window and exterior door shall be reasonably weather-tight, lockable, and rodent-proof and shall be kept in good working condition and good repair.

(Ord. 2052; Code 2022)

8-907. Maintenance and repair; dwellings.

Every dwelling and every part thereof shall be maintained in good repair by the owner or agent and be fit for human habitation. The roof shall be maintained so as not to leak and all rainwater shall be drained therefrom so as not to cause dampness in the walls or ceilings. All floors, stairways, doors, porches, windows, skylights, chimneys, toilets, sinks, walls, and ceilings shall be kept in good repair and usable condition.

(Ord. 2052; Code 2022)

8-908. Designation of unfit dwellings.

The designation of dwellings or dwelling units as unfit for human habitation and placarding of such unfit dwellings or dwelling units shall be carried out in compliance with the following requirements:

(a) The Public Officer may determine, or five citizens may petition in writing, that any dwelling unit is unfit for human use or habitation if he, she or they find that conditions exist in such structure which are dangerous or injurious to the health, safety or morals of the occupants of such buildings or other residents of the neighborhood, or which shall have a blighting influence on properties in the area.

(b) Such Conditions may include the following without limitation:

(1) Defects therein increasing the hazards of fire, accident, or other calamities.

(2) Lack of:

(A) Adequate ventilation.

(B) Light.



