

INDEPENDENCE CITY COMMISSION

REGULAR SESSION AGENDA

July 14, 2022

5:30 PM

Civic Center Memorial Hall

To participate by conference call:
1 785-289-4727 Conference ID: 197 828 702#

The Independence City Commission will meet in a Regular Session on **Thursday, July 14, 2022, in the Civic Center Memorial Hall.**

The Agenda shall be as follows:

I. REGULAR SESSION

- A. Call to Order
- B. Pledge of Allegiance to the United States of America
- C. Adoption of Agenda

II. APPOINTMENTS

- A. Tree Board -- One Vacancy -- Applications Due by noon on August 3, 2022
- B. Board of Examiners - Plumbers -- Four expired terms -- Applications due by noon on August 3, 2022

III. PRESENTATIONS

- A. Presentation of the 2021 Audit.

IV. CONSENT AGENDA

(*Consent* is that class of Commission action that requires no further discussion or which is routine in nature. All items on the Consent Agenda are adopted by a single motion unless removed from the Consent Agenda.)

- A. Consider approving City Commission minutes from May 12, 18 and 26, 2022.
- B. Consider approving the installation of a new light near 302 North 1st Street, and increasing the lighting intensity at the intersection of Freedom Drive and Russ Meyer Boulevard.
- C. Consider adopting a Resolution setting a public hearing to establish Rural Housing Incentive Districts (RHIDs).

V. ITEMS FOR COMMISSION ACTION

- A. Consideration of Change Order Approvals for Fire-EMS construction.
- B. Consider providing direction to the Economic Development Advisory Board regarding whether or not you wish them to develop a policy for gap financing.
- C. Consider all feasible and prudent alternatives to the proposed demolition of 300 North 8th Street.
- D. Consider approving the low bid from MEGA, LLC for five demolitions.
- E. Consider approving an agreement with Midwest Auctions, LLC for online auction services for surplus items.
- F. Consider setting the date of September 22, 2022 at 5:30 PM for a Public Hearing to consider the condemnation of 217 South Earl Street as dangerous and unsafe.

- G. Consider setting the date of September 22, 2022 at 5:30 PM for a Public Hearing to consider the condemnation of 414 South 14th Street as dangerous and unsafe.
- H. Consider a resolution authorizing the abatement of unhealthy and unsafe exterior conditions 314 South 4th Street.
- I. Consider a resolution authorizing the abatement of unhealthy and unsafe exterior conditions 521 South 15th Street.
- J. Consider approving an Ordinance amending Ambulance Rates.
- K. Consider approving amendments to the interlocal agreements for the Central, Downtown, North Penn, Southeast, Southwest and West Main Neighborhood Revitalization Plans.

VI. REPORTS

A. City Board Minutes

- 1. June 7, 2022 Planning Commission/Board of Zoning Appeals
- 2. June 29, 2022 Recreation Commission

B. June 2022 Sales Tax Report

VII. EXECUTIVE SESSION

- A. Consultation with an attorney on matters that would be deemed privileged in an attorney-client relationship.

VIII. CITY MANAGER'S COMMENTS

IX. COMMISSIONERS' COMMENTS

X. PUBLIC CONCERNS

XI. ADJOURNMENT



Presentation
CITY OF INDEPENDENCE
July 14, 2022

Department Finance

Director Approval Lacey Lies

AGENDA ITEM Presentation of the 2021 Audit.

BACKGROUND Sean Gordon of Gordon C.P.A. will present the 2021 audit report of the City's finances.

SUPPORTING DOCUMENTS

1. 2021 Audit Report
2. Auditors Comments
3. Communication Letter Conc - GAAP Waiver, No Single Audit

CITY OF INDEPENDENCE, KANSAS

**Independent Auditors' Report and
Financial Statement with
Supplementary Information**

For the Year Ended December 31, 2021

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CITY OF INDEPENDENCE, KANSAS
Financial Statements
For the Year Ended December 31, 2021
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INDEPENDENT AUDITOR'S REPORT

Mayor and City Commissioners
City of Independence, Kansas

Adverse and Unmodified Opinions

We have audited the accompanying fund summary statement of regulatory basis receipts, expenditures, and unencumbered cash balances of the City of Independence, Kansas and its related municipal entity, the Housing Authority of The City of Independence, Kansas (collectively, the City), as of and for the year ended December 31, 2021 and the related notes to the financial statement.

Adverse Opinion on U.S. Generally Accepted Accounting Principles

In our opinion, because of the significance of the matter discussed in the Basis for Adverse and Unmodified Opinions section of our report, the accompanying financial statement referred to above does not present fairly, in conformity with accounting principles generally accepted in the United States of America, the financial position of the City as of December 31, 2021, or changes in financial position and cash flows thereof for the year then ended.

Unmodified Opinion on Regulatory Basis of Accounting

In our opinion, the accompanying financial statement referred to above presents fairly, in all material respects, the aggregate cash and unencumbered cash balance of the City as of December 31, 2021, and the aggregate receipts and expenditures for the year then ended in accordance with the financial reporting provisions of the *Kansas Municipal Audit and Accounting Guide* described in Note 1.

Basis for Adverse and Unmodified Opinions

We conducted our audit in accordance with auditing standards generally accepted in the United States of America (GAAS) and the *Kansas Municipal Audit and Accounting Guide*. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statement section of our report. We are required to be independent of the City, and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our adverse and unmodified audit opinions.

Matter Giving Rise to Adverse Opinion on U.S. Generally Accepted Accounting Principles

As discussed in Note 1 of the financial statement, the financial statement is prepared by the City on the basis of the financial reporting provisions of the *Kansas Municipal Audit and Accounting Guide*, which is a basis of accounting other than accounting principles generally accepted in the United States of America. The effects on the financial statement of the variances between the regulatory basis of accounting described in Note 1 and accounting principles generally accepted in the United States of America, although not reasonably determinable, are presumed to be material.

Responsibilities of Management for the Financial Statement

Management is responsible for the preparation and fair presentation of this financial statement in accordance with the *Kansas Municipal Audit and Accounting Guide* as described in Note 1; this includes determining that the regulatory basis of accounting is an acceptable basis for the preparation of the financial statement in the circumstances. Management is also responsible for the design, implementation and maintenance of internal control relevant to the preparation and fair presentation of the financial statement that is free from material misstatement, whether due to fraud or error.

In preparing the financial statement, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the City's ability to continue as a going concern for twelve months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

Auditor's Responsibilities for the Audit of the Financial Statement

Our objectives are to obtain reasonable assurance about whether the financial statement as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinions. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statement.

In performing an audit in accordance with GAAS, we:

- exercise professional judgment and maintain professional skepticism throughout the audit.
- identify and assess the risks of material misstatement of the financial statement, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statement.
- obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control. Accordingly, no such opinion is expressed.
- evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statement.
- conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the City's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

Supplementary Information

Our audit was conducted for the purpose of forming an opinion on the fund summary statement of regulatory basis receipts, expenditures, and unencumbered cash balances (basic financial statement) as a whole. The summary of regulatory basis expenditures-actual and budget, individual fund schedules of regulatory basis receipts and expenditures-actual and budget, summary of receipts and disbursements-agency funds and the schedule of regulatory basis receipts and expenditures-related municipal entity (Schedules 1, 2, 3 and 4) as listed in the table of contents) are presented for analysis and are not a required part of the basic financial statement, however, are required to be presented under the provisions of the *Kansas Municipal Audit and Accounting Guide*. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statement. The information has been subjected to the auditing procedures applied in the audit of the basic financial statement and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statement or to the basic financial statement itself, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the information is fairly stated in all material respects in relation to the basic financial statement as a whole, on the basis of accounting described in Note 1.

Other Matters

Prior Period Adjustment

As discussed in Note 12 to the financial statement, the financial statement for the year ended December 31, 2020, has been restated to correct a misstatement in fund balances. Our opinion is not modified with respect to this matter.

Other Matter

The 2020 actual column presented in the individual fund schedules of regulatory basis receipts and expenditures—actual and budget for the year ended December 31, 2020 (Schedule 2 as listed in the table of contents) is presented for purposes of additional analysis and is not a required part of the basic financial statement.

The City's basic financial statement for the year ended December 31, 2020 (not presented herein), was audited by other auditors whose report dated August 4, 2021, expressed an unmodified opinion on the basic financial statement. The 2020 basic financial statement and the other auditor's report are available in electronic form from the web site of the Kansas Department of Administration at the following link <https://admin.ks.gov/offices/oar/municipal-services>. The report of the other auditors dated August 4, 2021 stated that the individual fund schedules of regulatory basis receipts and expenditures—actual and budget for the year ended December 31, 2020 was subjected to the auditing procedures applied in the audit of the 2020 basic financial statement and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the 2020 basic financial statement or to the 2020 basic financial statement itself, and other additional procedures in accordance with auditing standards generally accepted in the United States of America, and in their opinion, was fairly stated in all material respects in relation to the basic financial statement as a whole for the year ended December 31, 2020, on the basis of accounting described in Note 1.

Gordon CPA LLC

Certified Public Accountant
Lawrence, Kansas

July 1, 2022

CITY OF INDEPENDENCE, KANSAS
Summary Statement of Receipts, Expenditures and Unencumbered Cash
Regulatory Basis
For the Year Ended December 31, 2021

Funds	Beginning Unencumbered Cash Balance	Prior Period Adjustment	Prior Year Cancelled Encumbrances	Receipts	Expenditures	Ending Unencumbered Cash Balance	Add: Encumbrances and Accounts Payable	Ending Cash Balance
General Funds:								
General	\$ 573,712	\$ -	\$ -	\$ 8,096,973	\$ 7,649,900	\$ 1,020,785	\$ 449,782	\$ 1,470,567
Special Purpose Funds:								
General Fund Employee Benefits	307,622	[30,999]	-	777,383	813,211	240,795	3,902	244,697
Library	-	-	-	265,431	265,431	-	-	-
Special Alcohol	47,138	-	-	38,126	30,000	55,264	30,000	85,264
Special Parks and Recreation	43,761	-	-	48,428	26,000	66,189	-	66,189
Industrial	4,376	-	-	23,636	27,500	512	-	512
Liability Insurance	43,136	-	-	144,753	67,432	120,457	-	120,457
Economic Development and Transportation	617,033	-	-	482,204	433,035	666,202	-	666,202
Tourism	-	-	-	99,855	99,855	-	-	-
Educational Sales Tax	169,275	183,599	-	2,243,303	2,384,621	211,556	-	211,556
Quality of Life Sales Tax	109,144	-	-	-	34,879	74,265	-	74,265
Special Use Sales Tax	1,311,714	-	-	2,243,303	2,411,692	1,143,325	521,421	1,664,746
Special Park	18,285	-	-	26,002	16,844	27,443	-	27,443
Crime Prevention	1,580	-	-	-	175	1,405	-	1,405
Law Enforcement Trust	25,469	-	-	2,782	1,995	26,256	-	26,256
Downtown Tree Replacement	15,332	-	-	57	40	15,349	-	15,349
Demolition	148,605	-	-	66,897	96,220	119,282	5,000	124,282
Memorial Hall	165,000	-	-	-	90,643	74,357	15,095	89,452
E-911 (Old)	4,697	-	-	-	-	4,697	-	4,697
E-911 (New)	115,734	-	-	139,739	41,444	214,029	3,603	217,632
K9	28,343	-	-	2,858	1,509	29,692	-	29,692
Incubator Building	16,760	-	-	49,520	-	66,280	-	66,280
Logan Foundation	514	-	-	-	120	394	-	394
City Grants	77,298	-	-	159,768	137,772	99,294	-	99,294
Land Bank	-	-	-	53,302	-	53,302	-	53,302
Fire/EMS Grant	2,595	-	-	73,525	68,162	7,958	-	7,958
Walmart Grant	[1,690]	-	-	4,736	-	3,046	-	3,046
Federal Grants	11,116	-	-	733,170	100,310	643,976	2,000	645,976
Bond and Interest Funds:								
Bond and Interest	895,049	-	-	802,693	1,052,425	645,317	-	645,317
Capital Project Funds:								
General Capital Reserve	125,116	-	-	429,246	415,541	138,821	-	138,821
Streets Capital Reserve	160,437	-	-	1,278,470	1,156,215	282,692	58,244	340,936
Airport Capital Reserve	269,290	-	-	715,419	1,080,913	[96,204]	-	[96,204]
Water/Sewer Capital Reserve	2,410,547	-	-	1,109,148	60,847	3,458,848	-	3,458,848
Skate Park	1,695	-	-	-	-	1,695	-	1,695
Water Treatment Facility Upgrade	[113,856]	-	-	-	39,000	[152,856]	-	[152,856]
City Projects	75,000	-	-	247,001	314,747	7,254	-	7,254
Peter Pan Geometric Project	44,994	-	-	-	44,994	-	-	-
Penn/Chestnut - Oak Project	34,943	-	-	-	-	34,943	-	34,943
2015-2016 KLINK Project	318,879	-	-	-	-	318,879	-	318,879
Airport Restroom Project	2,500	-	-	-	2,500	-	-	-
Curb Ramp Project	235,651	-	-	-	61,289	174,362	27,893	202,255
WPC Loan C20 2043 Project	-	-	-	-	97,942	[97,942]	-	[97,942]
Business Fund:								
Airport	280,932	[533]	-	752,281	743,545	289,135	26,835	315,970
Water/Sewer Utility	3,155,691	[6,631]	246,225	5,395,694	5,173,957	3,617,022	115,889	3,732,911
Sanitation Utility	695,841	[1,229]	-	1,310,973	1,322,361	683,224	48,904	732,128
Grinder Pump Replacement	256,555	-	-	9,036	45	265,546	-	265,546
Total Primary Government	12,705,813	144,207	246,225	27,825,712	26,365,111	14,556,846	1,308,568	15,865,414
Related Municipal Entity:								
Housing Authority of The City of Independence, Kansas	4,840,074	[3,282]	-	1,144,153	1,187,583	4,793,362	41,300	4,834,662
Total Reporting Entity (excluding Agency Funds)	\$ 17,545,887	\$ 140,925	\$ 246,225	\$ 28,969,865	\$ 27,552,694	\$ 19,350,208	\$ 1,349,868	\$ 20,700,076

COMPOSITION OF CASH:	
Community National Bank	
Checking	\$ 15,647,159
Certificates of Deposit	3,289,269
Equity Bank	
Money Market	1,789,322
Cash on Hand	850
Total Cash	20,726,600
Less: Agency Funds per Schedule 3	[26,524]
Total Reporting Entity (excluding Agency Funds)	\$ 20,700,076

The notes to the financial statements are an integral part of this statement.

CITY OF INDEPENDENCE, KANSAS
Notes to the Financial Statements
For the Year Ended December 31, 2021

NOTE 1 - Summary of Significant Accounting Policies

The City of Independence, Kansas (the City) is incorporated as a city of the second class under the provisions of the Kansas Constitution, Article 12, Section 5 and K.S.A. 14-101 et seq. The City operates under a Commission City Manager form of government and provides the following services as authorized by its charter: public safety (police and fire), highways and streets, water, sewer and trash, health and social services, culture-recreation, education, public improvements, planning and zoning, and general administrative services.

The financial statement and schedules of the City of Independence, Kansas have been prepared in order to show compliance with the cash basis and budget laws of the State of Kansas. The Governmental Accounting Standards Board is the principal standard-setting body for establishing governmental accounting and financial reporting principles. The more significant of the City's accounting policies follow below. Note 1 describes how the City's accounting policies differ from accounting principles generally accepted in the United States of America.

Financial Reporting Entity

The City is a municipal corporation governed by an elected three-member commission. This financial statement presents the City (the municipality) and its related municipal entity, The Housing Authority of The City of Independence, Kansas, (collectively, the City). This related municipal entity is included in the City's reporting entity because it was established to benefit the City and/or its constituents. This financial statement does not include the related municipal entity, the Independence Public Library.

Related Municipal Entities: A related municipal entity is determined by the following criteria. Whether the City exercises oversight responsibility on financial interdependency, selection of governing authority, designation of management, ability to significantly influence operations and accountability for fiscal matters, scope of the public service, and significant operational or financial relationships with the City. Related municipal entities are not required to be included in the City's audit by the *Kansas Municipal Audit and Accounting Guide* (KMAAG). Based upon the application of this criterion, the following is a brief review of potential related municipal entities:

Housing Authority - The Housing Authority of the City of Independence, Kansas is a municipal corporation responsible for operating the City's housing projects. The Housing Authority is governed by a City appointed five-member board. The Housing Authority can sue and be sued. Bond ordinances and the purchase of real property must be approved by the City. All Housing Authority funds are held by the City of Independence and all financial transactions are processed through the City's administrative offices. The Housing Authority's 2021 financial statements have been included as Schedule 4 of the City's financial statements. Complete audited financial statements are prepared and are available at the Housing Authority's administrative office.

Independence Public Library - The City of Independence Library Board operates the City's public library. Acquisition or disposition of real property or bond issuances must be approved by the City. Separate audited financial statements are prepared and are available at the Independence Public Library.

Basis of Accounting

Regulatory Basis of Accounting and Departure from Accounting Principles Generally Accepted in the United States of America. The *Kansas Municipal Audit and Accounting Guide* (KMAAG) regulatory basis of accounting involves the recognition of cash, cash equivalents, marketable investments, and certain accounts payable and encumbrance obligations to arrive at a net unencumbered cash and investments balance on a regulatory basis for each fund, and the reporting of changes in unencumbered cash and investments of a fund resulting from the difference in regulatory basis receipts and regulatory basis expenditures for the fiscal year. All recognized assets and liabilities are measured and reported at cost, unless they have been permanently impaired and have no future cash value or represent no future obligation against cash. The KMAAG regulatory basis does not recognize capital assets, long-term debt, accrued receivables and payables, or any other assets, liabilities or deferred inflows or outflows, other than those mentioned above.

The City has approved a resolution that is in compliance with K.S.A. 75-1120a(c), waiving the requirement for application of generally accepted accounting principles and allowing the City to use the regulatory basis of accounting.

CITY OF INDEPENDENCE, KANSAS
Notes to the Financial Statements
For the Year Ended December 31, 2021

NOTE 1 - Summary of Significant Accounting Policies (Continued)

Regulatory Basis Fund Types

The following types of funds comprise the financial activities of the City for the year ended December 31, 2021:

General Fund - the chief operating fund. Used to account for all resources except those required to be accounted for in another fund.

Special Purpose Fund - used to account for the proceeds of specific tax levies and other specific regulatory basis receipt sources (other than Capital Project and tax levies for long-term debt) that are intended for specified purposes.

Bond and Interest Fund - used to account for the accumulation of resources, including tax levies, transfers from other funds and payment of general long-term debt.

Capital Projects Fund - used to account for the debt proceeds and other financial resources to be used for acquisition or construction of major capital facilities or equipment.

Business Fund - funds financed in whole or in part by fees charged to users of the goods or services (i.e. enterprise and internal service fund, etc.).

Agency Funds - to account for assets held by the City in a purely custodial capacity (payroll clearing fund, county treasurer tax collection accounts, etc.).

Budgetary Information

Kansas statutes require that an annual operating budget be legally adopted for the general fund, special purpose funds (unless specifically exempted by statute), bond and interest funds, and business funds. Although directory rather than mandatory, the statutes provide for the following sequence and timetable in the adoption of the legal annual operating budget:

1. Preparation of the budget for the succeeding calendar year on or before August 1st.
2. Publication in local newspaper of the proposed budget and notice of public hearing on the budget on or before August 5th.
3. Public hearing on or before August 15th, but at least ten days after publication of notice of hearing.
4. Adoption of the final budget on or before August 25th.

If the City is holding a revenue neutral rate hearing, the budget timeline for adoption of the final budget has been adjusted to on or before September 20th. The City was not required to hold a revenue neutral rate hearing for this year.

The statutes allow for the governing body to increase the originally adopted budget for previously unbudgeted increases in regulatory receipts other than ad valorem property taxes. To do this, a notice of public hearing to amend the budget must be published in the local newspaper. At least ten days after publication, the hearing may be held and the governing body may amend the budget at that time. The original budget was amended for the Educational Sales Tax Fund, Special Use Sales Tax Fund, and Sanitation Utility Fund during the year ended December 31, 2021.

The statutes permit transferring budgeted amounts between line items within an individual fund. However, such statutes prohibit expenditures in excess of the total amount of the adopted budget of expenditures of individual funds. Budget comparison schedules are presented for each fund showing actual receipts and expenditures compared to legally budgeted receipts and expenditures.

All legal annual operating budgets are prepared using the regulatory basis of accounting, in which regulatory receipts are recognized when cash is received and expenditures include disbursements, accounts payable, and encumbrances, with disbursements being adjusted for the prior year's accounts payable and encumbrances. Encumbrances are commitments by the City for future payments and are supported by a document evidencing the commitment, such as a purchase order or contract. Any unused budgeted expenditure authority lapses at year end.

CITY OF INDEPENDENCE, KANSAS
Notes to the Financial Statements
For the Year Ended December 31, 2021

NOTE 1 - Summary of Significant Accounting Policies (Continued)

Budgetary Information (Continued)

A legal operating budget is not required for the following special purpose and business funds:

- | | |
|----------------------------------|---------------------------|
| • Special Park Fund | • K9 Fund |
| • Crime Prevention Fund | • Incubator Building Fund |
| • Law Enforcement Trust Fund | • Logan Foundation Fund |
| • Downtown Tree Replacement Fund | • City Grants Fund |
| • Demolition Fund | • Land Bank Fund |
| • Memorial Hall Fund | • Fire/EMS Grant Fund |
| • E-911 (Old) Fund | • Walmart Grant Fund |
| • E-911 (New) Fund | • Federal Grants Fund |

Spending in funds which are not subject to the legal annual operating budget requirement is controlled by federal regulations, other statutes, or by the use of internal spending limits established by the city commission.

NOTE 2 - Deposits and Investments

Deposits. K.S.A. 9-1401 establishes the depositories which may be used by the City. The statute requires banks eligible to hold the City's funds have a main or branch bank in the county in which the City is located, or in an adjoining county if such institution has been designated as an official depository, and the banks provide an acceptable rate of return on funds. In addition, K.S.A. 9-1402 requires the banks to pledge securities for deposits in excess of FDIC coverage. The City has no other policies that would further limit interest rate risk.

Investments. K.S.A. 12-1675 limits the City's investment of idle funds to time deposits, open accounts, and certificates of deposit with allowable financial institutions; U.S. government securities; temporary notes; no-fund warrants; repurchase agreements; and the Kansas Municipal Investment Pool. The City has no investment policy that would further limit its investment choices. As of December 31, 2021, the City held no such investments.

Concentration of credit risk. State statutes place no limit on the amount the City may invest in any one issuer as long as the investments are adequately secured under K.S.A. 9-1402 and 9-1405.

Custodial credit risk - deposits. Custodial credit risk is the risk that in the event of a bank failure, the City's deposits may not be returned to it. State statutes require the City's deposits in financial institutions to be entirely covered by federal depository insurance or by collateral held under a joint custody receipt issued by a bank within the State of Kansas, the Federal Reserve Bank of Kansas City, or the Federal Home Loan Bank of Topeka, except during designated "peak periods" when required coverage is 50%. The City has no designated "peak periods." The City's deposits were fully secured as of December 31, 2021.

As of December 31, 2021, the City's carrying amount of deposits was \$ 20,726,600 and the bank balance was \$20,835,810. The bank balance was held by two banks resulting in a concentration of credit risk. Of the bank balance, \$3,750,013 was covered by federal depository insurance and \$17,085,797 was collateralized with securities held by the pledging financial institutions' agents in the City's name.

Custodial credit risk - investments. For an investment, this is the risk that, in the event of the failure of the issuer or counterparty, the City will not be able to recover the value of its investments or collateral securities that are in the possession of an outside party. State statutes require investments to be adequately secured.

CITY OF INDEPENDENCE, KANSAS
Notes to the Financial Statements
For the Year Ended December 31, 2021

NOTE 3 - Compensated Absences

All regular full-time and regular part-time employees of the City shall earn vacation leave. Vacation leave shall be earned beginning with the date of employment. Vacation may not be used during the first twelve month of employment. Vacation is earned at varying rates based on years of service and may be accumulated up to 160 hours for fulltime employees and 10 shifts for full-time Fire and EMS. In the event of termination, unused accrued vacation time is paid. Employees terminated prior to completing one full year of employment shall not be paid for accrued vacation leave.

Sick leave accrues to all full-time employees at the rate of eight hours per month and is limited to 1,440 hours. Sick leave may be accumulated and carried over to the next year, but is lost if employment is terminated.

The City has not estimated a liability for compensated absences which has been earned, but not taken by City employees, as the amount cannot be reasonably estimated.

NOTE 4 - Defined Benefit Pension Plan

Plan Description. The City participates in the Kansas Public Employees Retirement System (KPERS), a cost-sharing, multiple-employer defined benefit pension plan as provided by K.S.A. 74-4901, et. seq. Kansas law establishes and amends benefit provisions. KPERS issues a publicly available financial report that includes financial statements and required supplementary information. KPERS' financial statements are included in its Comprehensive Annual Financial Report which can be found on the KPERS website at www.kpers.org by writing to KPERS (611 South Kansas, Suite 100, Topeka, KS 66603) or by calling 1-888-275-5737.

Contributions. K.S.A. 74-4919 and K.S.A. 74-49,210 establish the KPERS member-employee contribution rates. KPERS has multiple benefit structures and contribution rates depending on whether the employee is a KPERS 1, KPERS 2 or KPERS 3 member. KPERS 1 members are active and contributing members hired before July 1, 2009. KPERS 2 members were first employed in a covered position on or after July 1, 2009, and KPERS 3 members were first employed in a covered position on or after January 1, 2015. Effective January 1, 2015, Kansas law established the KPERS member-employee contribution rate at 6% of covered salary for KPERS 1, KPERS 2 and KPERS 3 members. Member contributions are withheld by their employer and paid to KPERS according to the provisions of Section 414(h) of the Internal Revenue Code.

State law provides that the employer contribution rates for KPERS 1, KPERS 2 and KPERS 3 be determined based on the results of each annual actuarial valuation. Kansas law sets a limitation on annual increases in the employer contribution rates. The actuarially determined employer contribution rate (not including the 1% contribution rate for the Death and Disability Program) and the statutory contribution rate was 8.87% for the fiscal year ended December 31, 2021. Contributions to the pension plan from the City were \$469,101 for the year ended December 31, 2021.

Net Pension Liability. As of December 31, 2021, the City's proportionate share of the collective net pension liability reported by KPERS was \$3,275,712. The net pension liability was measured as of June 30, 2021, and the total pension liability used to calculate the net pension liability was determined by an actuarial valuation as of December 31, 2020, which was rolled forward to June 30, 2021. The City's proportion of the net pension liability was based on the ratio of the City's contributions to KPERS, relative to the total employer and non-employer contributions of the Local subgroup of KPERS. Since the KMAAG regulatory basis of accounting does not recognize long-term debt, this liability is not reported in these financial statements.

The complete actuarial valuation report, including all actuarial assumptions and methods, and the report on the allocation of the KPERS collective net pension liability to all participating employers are publicly available on the KPERS website at www.kpers.org or can be obtained as described above.

CITY OF INDEPENDENCE, KANSAS
Notes to the Financial Statements
For the Year Ended December 31, 2021

NOTE 5 - Other Long-Term Obligations from Operations

Other Post-Employment Benefits. As provided by K.S.A. 12-5040, the City allows retirees to participate in the group health insurance plan. While each retiree pays the full amount of the applicable premium, conceptually, the City is subsidizing the retirees because each participant is charged a level of premium regardless of age. However, the cost of this subsidy has not been quantified in this financial statement.

Under the Consolidated Omnibus Budget Reconciliation Act (COBRA), the City makes health care benefits available to eligible former employees and eligible dependents. Certain requirements are outlined by the federal government for this coverage. The premium is paid in full by the insured. There is no cost to the City under this program.

Death and Disability Other Post-Employment Benefits. As provided by K.S.A. 74-4927, disabled members in the Kansas Public Employees Retirement System (KPERS) receive long-term disability benefits and life insurance benefits. The plan is administered through a trust held by KPERS that is funded to pay annual benefit payments. The employer contribution rate is set at 1% for the year ended December 31, 2021.

NOTE 6 - Interfund Transfers

Operating transfers were as follows during the year ended December 31, 2021:

From:	To:	Amount:	Statutory Authority
General Fund	Demolition Fund	\$ 50,000	K.S.A. 12-1,118
General Fund	General Capital Reserve Fund	279,252	K.S.A. 12-1,118
Economic Development and Transportation Fund	City Grants Fund	84,768	K.S.A. 79-2934
Economic Development and Transportation Fund	Streets Capital Reserve Fund	100,000	K.S.A. 12-1,118
Economic Development and Transportation Fund	City Projects Fund	47,000	K.S.A. 12-1,118
Educational Sales Tax Fund	Bond and Interest Fund	239,100	K.S.A. 12,197
Special Use Sales Tax Fund	General Fund	560,826	K.S.A. 12,197
Special Use Sales Tax Fund	Bond and Interest Fund	474,813	K.S.A. 12,197
Special Use Sales Tax Fund	Airport Capital Reserve Fund	50,000	K.S.A. 12-1,118
Special Use Sales Tax Fund	City Projects Fund	50,000	K.S.A. 12-1,118
Special Use Sales Tax Fund	Streets Capital Reserve Fund	1,017,262	K.S.A. 12-1,118
Airport Restroom Project Fund	Airport Capital Reserve Fund	2,500	K.S.A. 12-1,118
Peter Pan Geometric Project Fund	Streets Capital Reserve Fund	44,994	K.S.A. 12-1,118
Water and Sewer Utility Fund	General Fund	800,000	K.S.A. 12-1,825d
Water and Sewer Utility Fund	City Grants Fund	50,000	K.S.A. 12-1,825d
Water and Sewer Utility Fund	Bond and Interest Fund	78,413	K.S.A. 12-1,825d
Water and Sewer Utility Fund	Water/Sewer Capital Reserve Fund	1,100,000	K.S.A. 12-1,825d
Sanitation Utility Fund	General Fund	100,000	K.S.A. 12-1,825d
		<u>\$ 5,128,929</u>	

NOTE 7 - Long-Term Debt

The following table summarizes changes in the City's long-term debt for the year ended December 31, 2021:

Type of Issue	Beginning Principal Outstanding	Additions to Principal	Reductions of Principal	Ending Principal Outstanding	Interest Paid
General Obligation Bonds	\$ 5,310,000	\$ -	\$ 910,000	\$ 4,400,000	\$ 142,425
State Revolving Loans	3,608,866	-	140,977	3,467,889	87,008
Capital Leases	720,358	149,994	280,779	589,573	20,097
Total	<u>\$ 9,639,224</u>	<u>\$ 149,994</u>	<u>\$ 1,331,756</u>	<u>\$ 8,457,462</u>	<u>\$ 249,530</u>

CITY OF INDEPENDENCE, KANSAS
Notes to the Financial Statements
For the Year Ended December 31, 2021

NOTE 7 - Long-Term Debt (Continued)

General Obligation Bonds. The following table details the City's outstanding general obligation debt as of December 31, 2021:

<u>General Obligation Bonds</u>	<u>Interest Rate</u>	<u>Amount Outstanding</u>	<u>Original Amount</u>	<u>Date of Issue</u>	<u>Final Maturity</u>
Series 2013-A	2.60 - 2.70%	\$ 640,000	\$ 2,940,000	9/19/2013	10/1/2023
Series 2015-A	2.00 - 3.00%	1,230,000	1,960,000	7/22/2015	10/1/2030
Series 2016-A	2.00 - 3.00%	1,145,000	1,875,000	7/12/2016	10/1/2026
Series 2019-A	3.00%	1,385,000	1,430,000	10/2/2019	10/1/2026
Total		<u>\$ 4,400,000</u>			

Annual debt service requirements to maturity for the general obligation bonds are as follows:

<u>Year Ending December 31,</u>	<u>Principal</u>	<u>Interest</u>	<u>Total</u>
2022	\$ 925,000	\$ 122,940	\$ 1,047,940
2023	935,000	99,800	1,034,800
2024	635,000	75,550	710,550
2025	645,000	57,150	702,150
2026	675,000	37,800	712,800
2027 - 2031	585,000	44,400	629,400
Total	<u>\$ 4,400,000</u>	<u>\$ 437,640</u>	<u>\$ 4,837,640</u>

Revolving Loans. The following table details the City's outstanding revolving loan debt as of December 31, 2021:

<u>Purpose</u>	<u>Interest Rate</u>	<u>Amount Outstanding</u>	<u>Original Amount</u>	<u>Date of Issue</u>	<u>Final Maturity</u>
Kansas Water Pollution Control Revolving Fund No. 1915-01	2.50%	\$ 2,092,296	\$ 3,764,485	10/24/2011	3/1/2034
Kansas Public Water Supply Loan Fund No. 2933	2.33%	1,375,593	1,375,593	8/15/2018	8/1/2041
		<u>\$ 3,467,889</u>			

Annual debt service requirements to maturity for Kansas Water Pollution Control Revolving Fund No. 1915-01 are as follows:

<u>Year Ending December 31,</u>	<u>Principal</u>	<u>Interest</u>	<u>Total</u>
2022	\$ 144,523	\$ 51,410	\$ 195,933
2023	148,159	47,774	195,933
2024	151,886	44,047	195,933
2025	155,707	40,226	195,933
2026	159,624	36,309	195,933
2027 - 2031	860,411	119,254	979,665
2032 - 2034	471,986	17,846	489,832
Total	<u>\$ 2,092,296</u>	<u>\$ 356,866</u>	<u>\$ 2,449,162</u>

Annual debt service requirements to maturity were not available for Kansas Public Water Supply Loan Fund No. 2933 as the loan was not finalized as of December 31, 2021.

CITY OF INDEPENDENCE, KANSAS
Notes to the Financial Statements
For the Year Ended December 31, 2021

NOTE 7 - Long-Term Debt (Continued)

On July 1, 2021, the City entered into a loan agreement with the Kansas Department of Health and Environment (KDHE) to finance the water system improvements. The loan is for a maximum principal of \$3,776,894, carries a gross interest rate of 1.33%, and is payable in semi-annual installments. \$0 were drawn against the agreement during the year ended December 31, 2021. Annual debt service requirements to maturity are not available as the loan was not finalized as of December 31, 2021.

Capital Leases. The following table details the City's outstanding capital lease obligations as of December 31, 2021:

<u>Capital Leases</u>	<u>Interest Rate</u>	<u>Amount Outstanding</u>	<u>Original Amount</u>	<u>Date of Issue</u>	<u>Final Maturity</u>
Aerial Fire Truck	3.44%	\$ 441,270	\$ 597,896	04/01/19	04/01/26
John Deere Tractor and Bushhog	2.45%	64,348	90,288	04/01/20	04/01/25
Streetsweeper	1.78%	83,955	149,994	02/11/21	03/01/25
Total		<u>\$ 589,573</u>			

Annual debt service requirements to maturity for the capital lease obligations are as follows:

<u>Year Ending December 31,</u>	<u>Principal</u>	<u>Interest</u>	<u>Total</u>
2022	\$ 120,623	\$ 18,179	\$ 138,802
2023	124,268	14,534	138,802
2024	128,024	10,778	138,802
2025	122,330	6,895	129,225
2026	94,328	3,248	97,576
Total	<u>\$ 589,573</u>	<u>\$ 53,634</u>	<u>\$ 643,207</u>

On February 12, 2021, the City entered into a lease purchase agreement with a local financial institution in the amount of \$149,994. Proceeds from the agreement were used to acquire equipment. The agreement carries an interest rate of 1.78%, requires annual payments of \$21,927, and is scheduled for final maturity on March 1, 2025.

Legal Debt Margin. The City is subject to the municipal finance law of the State of Kansas which limits the net bonded debt the City may have outstanding up to 30 percent of the assessed value of all tangible personal property within the City, as certified to the County Clerk on the proceeding August 25. As of December 31, 2021, the statutory limit for the City was \$14,121,120, providing a debt margin of \$9,721,120.

NOTE 8 - Contingencies

The City receives significant financial assistance from numerous federal and state governmental agencies in the form of grants and state pass-through aid. The disbursement of funds received under these programs generally requires compliance with the terms and conditions specified in the grant agreements and is subject to audit. Any disallowed claims resulting from such audits could become a liability of the General Fund or other applicable funds. However, in the opinion of management, any such disallowed claims would not have a material effect on any of the financial statements of the City as of December 31, 2021.

The City is a party to various claims, none of which is expected to have material financial impact on the City.

NOTE 9 - Risk Management

The City is exposed to various risks of loss related to torts; theft of, damage to, or destruction of assets; errors and omissions; injuries to employees; employees health and life; and natural disasters. The City manages these risks of loss through the purchase of various insurance policies.

CITY OF INDEPENDENCE, KANSAS
Notes to the Financial Statements
For the Year Ended December 31, 2021

NOTE 9 - Risk Management (Continued)

The City has been unable to obtain workers' compensation insurance at a cost it considers to be economically justifiable. For this reason, the City has joined together with other cities in the State to participate in Kansas Municipal Insurance Trust (KMIT), a public entity risk pool currently operating as a common risk management and insurance program for participating members. The City pays annual premium to KMIT for its workers' compensation insurance coverage. The agreement to participate provides that KMIT will be self-sustaining through member premiums and will reinsure through commercial companies for claims in excess of a stated dollar amount for each insurance event. Additional premiums may be due if total claims for the pool are different than what has been anticipated by KMIT management.

NOTE 10 - Incentive Grant Agreement

During the year ended December 31, 2021, the City entered into an incentive grant agreement with Labette County Medical Center. This agreement calls for the City to pay Labette County Medical Center \$1,000,000 payable in ten equal annual payments of \$100,000 beginning March 1, 2023. The incentive grant agreement calls for Labette County Medical Center to hire and maintain an increasing number of full-time employees and physicians who live in the City and serve its residents. The City intends to pay the grant from the Economic Development and Transportation Fund.

NOTE 11 - Compliance with Kansas Statutes

Statement 1 has been prepared in order to show compliance with the cash basis laws of Kansas. As shown in Statement 1, the City was in apparent violation of K.S.A. 10-1113, as the Airport Capital Reserve Fund, Water Treatment Facility Upgrade Fund, and WPC Loan C20 2043 Project Fund reported a negative ending unencumbered cash balance. K.S.A 10-1,116 provides that under certain situations, a fund can end the year with a negative unencumbered cash balance. The Airport Capital Reserve Fund, Water Treatment Facility Upgrade Fund, and WPC Loan C20 2043 Project Fund meet the criteria of K.S.A 10-1,116 and therefore, are deemed to not be in violation of the Kansas cash basis laws.

Schedule 1 has been prepared in order to show compliance with the budget laws of Kansas. As shown in Schedule 1, the City was in apparent violation of K.S.A. 79-2935 as expenditures chargeable to the current year exceeded the certified budget in the Educational Sales Tax Fund, Bond and Interest Fund, and Airport Fund.

NOTE 12 - Prior Period Adjustments

During the year ended December 31, 2021, management discovered certain errors recorded in the prior year financial statements. The effects of these items caused a restatement to beginning unencumbered cash in the General Fund Employee Benefits Fund, Educational Sales Tax Fund, Airport Fund, Water/Sewer Utility Fund, Sanitation Utility Fund, and the Housing Authority of The City of Independence, Kansas as follows:

	General Fund Employee Benefits Fund	Educational Sales Tax Fund	Airport Fund	Water/Sewer Utility Fund	Sanitation Utility Fund	Housing Authority of The City of Independence, Kansas
Unencumbered Cash, Beginning	\$ 307,622	\$ 169,275	\$ 280,932	\$ 3,155,691	\$ 695,841	\$ 4,840,074
Prior Period Adjustment	<u>[30,999]</u>	<u>183,599</u>	<u>[533]</u>	<u>[6,631]</u>	<u>[1,229]</u>	<u>[3,282]</u>
Unencumbered Cash, Beginning, Restated	<u>\$ 276,623</u>	<u>\$ 352,874</u>	<u>\$ 280,399</u>	<u>\$ 3,149,060</u>	<u>\$ 694,612</u>	<u>\$ 4,836,792</u>

CITY OF INDEPENDENCE, KANSAS
Summary of Expenditures - Actual and Budget
Regulatory Basis
For the Year Ended December 31, 2021

<u>Funds</u>	<u>Certified Budget</u>	<u>Adjustment for Qualifying Budget Credits</u>	<u>Total Budget for Comparison</u>	<u>Expenditures Chargeable to Current Year</u>	<u>Variance Over [Under]</u>
General Funds:					
General	\$ 7,986,982	\$ -	\$ 7,986,982	\$ 7,649,900	\$ [337,082]
Special Purpose Funds:					
General Fund Employee Benefits	852,816	-	852,816	813,211	[39,605]
Library	267,130	-	267,130	265,431	[1,699]
Special Alcohol	30,000	-	30,000	30,000	-
Special Parks and Recreation	34,000	-	34,000	26,000	[8,000]
Industrial	27,500	-	27,500	27,500	-
Liability Insurance	96,000	-	96,000	67,432	[28,568]
Economic Development and Transport	500,700	-	500,700	433,035	[67,665]
Tourism	150,000	-	150,000	99,855	[50,145]
Educational Sales Tax	2,330,000	-	2,330,000	2,384,621	54,621
Quality of Life Sales Tax	75,000	-	75,000	34,879	[40,121]
Special Use Sales Tax	4,248,792	-	4,248,792	2,411,692	[1,837,100]
Bond and Interest Funds:					
Bond and Interest	792,325	-	792,325	1,052,425	260,100
Business Fund:					
Airport	669,527	-	669,527	743,545	74,018
Water/Sewer Utility	5,510,205	-	5,510,205	5,173,957	[336,248]
Sanitation Utility	1,381,761	-	1,381,761	1,322,361	[59,400]

CITY OF INDEPENDENCE, KANSAS
General Fund
Schedule of Receipts and Expenditures - Actual and Budget
Regulatory Basis
For the Year Ended December 31, 2021
(With Comparative Actual Amounts For the Year Ended December 31, 2020)

	Prior Year <u>Actual</u>	Current Year		Variance Over [Under]
		<u>Actual</u>	<u>Budget</u>	
Receipts				
Taxes and Shared Receipts				
Ad Valorem Property Tax	\$ 1,406,270	\$ 1,510,926	\$ 1,615,621	\$ [104,695]
Delinquent Tax	74,021	124,113	47,000	77,113
Motor Vehicle Tax	207,846	213,319	197,724	15,595
Recreational Vehicle Tax	2,072	1,910	1,720	190
16/20 M Vehicle Tax	679	1,068	1,086	[18]
Vehicle Rental Excise Tax	6,631	2,602	-	2,602
Commercial Vehicle Tax	6,796	5,866	5,131	735
Watercraft Tax	913	1,224	7,231	[6,007]
Neighborhood Revitalization	[47,803]	[48,290]	[79,642]	31,352
Mineral Tax	6	55	-	55
In Lieu of Tax	1,288	1,359	-	1,359
Nuisance Tax	5,200	4,150	4,000	150
Special Assessments	45,650	3,247	15,000	[11,753]
Franchise Tax	434,703	440,040	465,000	[24,960]
Sales Tax	2,135,922	2,243,303	1,930,000	313,303
Intergovernmental				
Local Alcohol Liquor Tax	32,491	38,126	40,000	[1,874]
Special Highway Tax	222,533	245,702	280,000	[34,298]
Highway Connecting Links	271,714	93,236	60,000	33,236
County Highway Aid	40,438	34,313	-	34,313
Grants	174,296	256,775	178,000	78,775
Licenses and Permits	57,083	113,651	60,000	53,651
Fines, Forfeitures and Penalties	83,674	93,424	119,000	[25,576]
Charges for Services				
Ambulance Fees	739,903	919,624	730,000	189,624
Fire Fees	12,647	35	6,000	[5,965]
Cemetery Fees	55,025	74,060	53,800	20,260
Park Fees	29,392	55,822	36,000	19,822
Charge Offs and Recoveries	46,778	53,421	40,000	13,421
Use of Money and Property				
Interest Income	44,924	23,356	50,000	[26,644]
Rents	108,343	49,106	17,000	32,106
Sale of Assets	4,200	8,300	-	8,300
Memorial Hall Fees	23,879	28,208	30,000	[1,792]
Other Receipts				
Reimbursed Expense	3,761	32,966	378,000	[345,034]
Insurance Proceeds	55,463	-	30,000	[30,000]
Miscellaneous	[4,457]	11,130	922,200	[911,070]
Operating Transfers In	1,659,387	1,460,826	482,500	978,326
Total Receipts	<u>7,941,668</u>	<u>8,096,973</u>	<u>\$ 7,722,371</u>	<u>\$ 374,602</u>

See independent auditor's report on the financial statements.

CITY OF INDEPENDENCE, KANSAS
General Fund - Continued
Schedule of Receipts and Expenditures - Actual and Budget
Regulatory Basis
For the Year Ended December 31, 2021
(With Comparative Actual Amounts For the Year Ended December 31, 2020)

	Prior Year <u>Actual</u>	<u>Current Year</u>		Variance- Over [Under]
		<u>Actual</u>	<u>Budget</u>	
Expenditures				
Administration				
Personal Services	\$ 163,727	\$ 302,515	\$ 328,076	\$ [25,561]
Contractual Services	77,272	115,463	89,244	26,219
Commodities	8,613	3,345	12,000	[8,655]
	<u>249,612</u>	<u>421,323</u>	<u>429,320</u>	<u>[7,997]</u>
Municipal Court Department				
Personal Services	55,093	46,972	40,530	6,442
Contractual Services	65,610	67,413	66,250	1,163
Commodities	2,701	404	1,500	[1,096]
	<u>123,404</u>	<u>114,789</u>	<u>108,280</u>	<u>6,509</u>
City Hall Department				
Contractual Services	1,179	1,606	4,000	[2,394]
Capital Lease Payments	5,947	-	-	-
	<u>7,126</u>	<u>1,606</u>	<u>4,000</u>	<u>[2,394]</u>
General Government				
Personal Services	11,098	37,726	2,000	35,726
Contractual Services	642,038	656,059	720,015	[63,956]
Commodities	4,336	10,357	-	10,357
Capital Outlay	25,459	15,242	20,000	[4,758]
	<u>682,931</u>	<u>719,384</u>	<u>742,015</u>	<u>[22,631]</u>
Finance and Records Department				
Personal Services	298,600	291,444	275,821	15,623
Contractual Services	41,426	37,764	58,250	[20,486]
Commodities	11,688	6,584	13,000	[6,416]
Capital Outlay	5,000	-	5,000	[5,000]
	<u>356,714</u>	<u>335,792</u>	<u>352,071</u>	<u>[16,279]</u>
Fire Department				
Personal Services	1,391,704	1,336,794	1,251,426	85,368
Contractual Services	74,997	135,127	157,700	[22,573]
Commodities	169,412	164,972	177,000	[12,028]
Capital Outlay	68,738	245	244,200	[243,955]
Capital Lease Payments	79,609	-	-	-
	<u>1,784,460</u>	<u>1,637,138</u>	<u>1,830,326</u>	<u>[193,188]</u>
EMS Department				
Contractual Services	50,056	1,170	1,750	[580]

See independent auditor's report on the financial statements.

CITY OF INDEPENDENCE, KANSAS
General Fund - Continued
Schedule of Receipts and Expenditures - Actual and Budget
Regulatory Basis
For the Year Ended December 31, 2021
(With Comparative Actual Amounts For the Year Ended December 31, 2020)

	Prior Year <u>Actual</u>	<u>Current Year</u>		Variance- Over <u>[Under]</u>
		<u>Actual</u>	<u>Budget</u>	
Expenditures - Continued				
Police Department				
Personal Services	\$ 1,408,129	\$ 1,396,551	\$ 1,487,134	\$ [90,583]
Contractual Services	92,649	96,164	101,000	[4,836]
Commodities	40,154	58,070	64,100	[6,030]
Capital Outlay	25,757	43,849	-	43,849
	<u>1,566,689</u>	<u>1,594,634</u>	<u>1,652,234</u>	<u>[57,600]</u>
Animal Control Department				
Personal Services	53,065	53,217	52,626	591
Contractual Services	5,701	9,613	4,900	4,713
Commodities	1,372	1,327	1,500	[173]
Capital Outlay	[183]	-	-	-
	<u>59,955</u>	<u>64,157</u>	<u>59,026</u>	<u>5,131</u>
Emergency Preparedness				
Contractual Services	15,059	8,780	17,600	[8,820]
Commodities	957	6,910	1,000	5,910
Capital Outlay	-	-	20,000	[20,000]
	<u>16,016</u>	<u>15,690</u>	<u>38,600</u>	<u>[22,910]</u>
Building Inspection Department				
Personal Services	-	71,489	76,807	[5,318]
Contractual Services	435	24,373	7,000	17,373
	<u>435</u>	<u>95,862</u>	<u>83,807</u>	<u>12,055</u>
Street Department				
Personal Services	333,706	280,182	356,696	[76,514]
Contractual Services	80,888	74,776	108,500	[33,724]
Commodities	134,680	213,308	187,000	26,308
Capital Outlay	71,550	46,000	-	46,000
	<u>620,824</u>	<u>614,266</u>	<u>652,196</u>	<u>[37,930]</u>
Street Lighting Department				
Contractual Services	160,735	145,024	165,000	[19,976]
Park Department				
Personal Services	227,310	233,959	222,434	11,525
Contractual Services	81,721	83,270	96,000	[12,730]
Commodities	21,101	24,516	21,050	3,466
Capital Outlay	34,548	225	300	[75]
	<u>364,680</u>	<u>341,970</u>	<u>339,784</u>	<u>2,186</u>
Zoo Department				
Personal Services	189,718	201,217	202,923	[1,706]
Contractual Services	15,782	44,077	29,000	15,077
Commodities	68,898	79,299	71,000	8,299
Capital Outlay	43,060	-	-	-
	<u>317,458</u>	<u>324,593</u>	<u>302,923</u>	<u>21,670</u>

See independent auditor's report on the financial statements.

CITY OF INDEPENDENCE, KANSAS
General Fund - Continued
Schedule of Receipts and Expenditures - Actual and Budget
Regulatory Basis
For the Year Ended December 31, 2021
(With Comparative Actual Amounts For the Year Ended December 31, 2020)

	Prior Year <u>Actual</u>	<u>Current Year</u>		Variance- Over [Under]
		<u>Actual</u>	<u>Budget</u>	<u>[Under]</u>
Expenditures - Continued				
Cemetery Department				
Personal Services	\$ 173,912	\$ 154,744	\$ 176,298	\$ [21,554]
Contractual Services	6,608	15,956	19,150	[3,194]
Commodities	11,541	15,795	11,500	4,295
Capital Outlay	7,117	9,319	16,184	[6,865]
Capital Lease Payment	10,366	5,056	-	5,056
	<u>209,544</u>	<u>200,870</u>	<u>223,132</u>	<u>[22,262]</u>
Memorial Hall Department				
Personal Services	121,396	109,596	103,172	6,424
Contractual Services	129,766	129,978	167,500	[37,522]
Commodities	7,506	8,652	12,700	[4,048]
Capital Outlay	15,000	21,137	-	21,137
	<u>273,668</u>	<u>269,363</u>	<u>283,372</u>	<u>[14,009]</u>
Building D Department				
Personal Services	47,506	48,278	52,294	[4,016]
Contractual Services	344,399	353,696	353,500	196
Commodities	10,826	17,152	8,000	9,152
Capital Outlay	2,800	-	5,000	[5,000]
	<u>405,531</u>	<u>419,126</u>	<u>418,794</u>	<u>332</u>
Special Improvements				
Capital Outlay	15,650	3,891	15,000	[11,109]
	<u>15,650</u>	<u>3,891</u>	<u>15,000</u>	<u>[11,109]</u>
Operating Transfers Out	<u>357,378</u>	<u>329,252</u>	<u>285,352</u>	<u>43,900</u>
Total Expenditures	<u>7,622,866</u>	<u>7,649,900</u>	<u>\$ 7,986,982</u>	<u>\$ [337,082]</u>
Receipts Over [Under] Expenditures	318,802	447,073		
Unencumbered Cash, Beginning	<u>254,910</u>	<u>573,712</u>		
Unencumbered Cash, Ending	<u>\$ 573,712</u>	<u>\$ 1,020,785</u>		

See independent auditor's report on the financial statements.

CITY OF INDEPENDENCE, KANSAS
General Fund Employee Benefits Fund
Schedule of Receipts and Expenditures - Actual and Budget
Regulatory Basis
For the Year Ended December 31, 2021
(With Comparative Actual Amounts For the Year Ended December 31, 2020)

	Prior Year <u>Actual</u>	<u>Current Year</u>		Variance Over [Under]
		<u>Actual</u>	<u>Budget</u>	<u>[Under]</u>
Receipts				
Taxes and Shared Receipts				
Ad Valorem Property Tax	\$ 672,378	\$ 603,016	\$ 645,621	\$ [42,605]
Delinquent Tax	36,005	56,049	22,500	33,549
Motor Vehicle Tax	79,110	96,222	94,654	1,568
Recreational Vehicle Tax	756	879	823	56
16/20 M Vehicle Tax	363	371	520	[149]
Vehicle Rental Excise Tax	2,694	1,234	-	1,234
Commercial Vehicle Tax	2,370	2,798	2,456	342
Watercraft Tax	317	578	3,461	[2,883]
Mineral Tax	3	22	-	22
In Lieu of Tax	617	543	-	543
Use of Money and Property				
Interest Income	3,841	1,342	2,000	[658]
Other Receipts				
Reimbursed Expense	1,861	13,687	-	13,687
Miscellaneous	-	642	[103,650]	104,292
Total Receipts	<u>800,315</u>	<u>777,383</u>	<u>\$ 668,385</u>	<u>\$ 108,998</u>
Expenditures				
General Government				
Personal Services	686,618	654,247	\$ 732,202	\$ [77,955]
Contractual Services	-	158,964	120,614	38,350
Total Expenditures	<u>686,618</u>	<u>813,211</u>	<u>\$ 852,816</u>	<u>\$ [39,605]</u>
Receipts Over [Under] Expenditures	<u>113,697</u>	<u>[35,828]</u>		
Unencumbered Cash, Beginning	193,925	307,622		
Prior Period Adjustment	-	[30,999]		
Unencumbered Cash, Beginning, Restated	<u>193,925</u>	<u>276,623</u>		
Unencumbered Cash, Ending	<u>\$ 307,622</u>	<u>\$ 240,795</u>		

See independent auditor's report on the financial statements.

CITY OF INDEPENDENCE, KANSAS
Library Fund
Schedule of Receipts and Expenditures - Actual and Budget
Regulatory Basis
For the Year Ended December 31, 2021
(With Comparative Actual Amounts For the Year Ended December 31, 2020)

	Prior Year <u>Actual</u>	<u>Current Year</u>		Variance Over Under]
		<u>Actual</u>	<u>Budget</u>	
Receipts				
Taxes and Shared Receipts				
Ad Valorem Property Tax	\$ 209,411	\$ 213,416	\$ 228,375	\$ [14,959]
Delinquent Tax	12,858	18,659	7,000	11,659
Motor Vehicle Tax	29,441	31,284	29,493	1,791
Recreational Vehicle Tax	289	282	257	25
16/20 M Vehicle Tax	110	147	162	[15]
Vehicle Rental Excise Tax	962	387	-	387
Commercial Vehicle Tax	934	874	765	109
Watercraft Tax	125	182	1,078	[896]
Mineral Tax	1	8	-	8
In Lieu of Tax	192	192	-	192
Use of Money and Property				
Interest Income	439	-	-	-
Total Receipts	<u>254,762</u>	<u>265,431</u>	<u>\$ 267,130</u>	<u>\$ [1,699]</u>
Expenditures				
Culture and Recreation				
Appropriation to Library Board	<u>260,763</u>	<u>265,431</u>	<u>\$ 267,130</u>	<u>\$ [1,699]</u>
Total Expenditures	<u>260,763</u>	<u>265,431</u>	<u>\$ 267,130</u>	<u>\$ [1,699]</u>
Receipts Over [Under] Expenditures	[6,001]	-		
Unencumbered Cash, Beginning	<u>6,001</u>	-		
Unencumbered Cash, Ending	<u>\$ -</u>	<u>\$ -</u>		

See independent auditor's report on the financial statements.

CITY OF INDEPENDENCE, KANSAS
Special Alcohol Fund
Schedule of Receipts and Expenditures - Actual and Budget
Regulatory Basis
For the Year Ended December 31, 2021
(With Comparative Actual Amounts For the Year Ended December 31, 2020)

	Prior Year <u>Actual</u>	<u>Current Year</u>		Variance Over [Under]
		<u>Actual</u>	<u>Budget</u>	<u>[Under]</u>
Receipts				
Intergovernmental				
Local Alcohol Liquor Tax	\$ 32,491	\$ 38,126	\$ 33,000	\$ 5,126
Total Receipts	<u>32,491</u>	<u>38,126</u>	<u>\$ 33,000</u>	<u>\$ 5,126</u>
Expenditures				
Culture and Recreation				
Contractual Services	<u>30,000</u>	<u>30,000</u>	<u>\$ 30,000</u>	<u>\$ -</u>
Total Expenditures	<u>30,000</u>	<u>30,000</u>	<u>\$ 30,000</u>	<u>\$ -</u>
Receipts Over [Under] Expenditures	2,491	8,126		
Unencumbered Cash, Beginning	<u>44,647</u>	<u>47,138</u>		
Unencumbered Cash, Ending	<u>\$ 47,138</u>	<u>\$ 55,264</u>		

See independent auditor's report on the financial statements.

CITY OF INDEPENDENCE, KANSAS
Special Parks and Recreation Fund
Schedule of Receipts and Expenditures - Actual and Budget
Regulatory Basis
For the Year Ended December 31, 2021
(With Comparative Actual Amounts For the Year Ended December 31, 2020)

	Prior Year <u>Actual</u>	<u>Current Year</u>		Variance Over [Under]
		<u>Actual</u>	<u>Budget</u>	<u>[Under]</u>
Receipts				
Intergovernmental				
Local Alcohol Liquor Tax	\$ 32,491	\$ 38,126	\$ 35,000	\$ 3,126
Other Receipts				
Miscellaneous	<u>5,294</u>	<u>10,302</u>	<u>4,000</u>	<u>6,302</u>
Total Receipts	<u>37,785</u>	<u>48,428</u>	<u>\$ 39,000</u>	<u>\$ 9,428</u>
Expenditures				
Culture and Recreation				
Contractual Services	<u>24,000</u>	<u>26,000</u>	<u>\$ 34,000</u>	<u>\$ [8,000]</u>
Total Expenditures	<u>24,000</u>	<u>26,000</u>	<u>\$ 34,000</u>	<u>\$ [8,000]</u>
Receipts Over [Under] Expenditures	13,785	22,428		
Unencumbered Cash, Beginning	<u>29,976</u>	<u>43,761</u>		
Unencumbered Cash, Ending	<u>\$ 43,761</u>	<u>\$ 66,189</u>		

See independent auditor's report on the financial statements.

CITY OF INDEPENDENCE, KANSAS
Industrial Fund
Schedule of Receipts and Expenditures - Actual and Budget
Regulatory Basis
For the Year Ended December 31, 2021
(With Comparative Actual Amounts For the Year Ended December 31, 2020)

	Prior Year	Current Year		Variance Over
	<u>Actual</u>	<u>Actual</u>	<u>Budget</u>	<u>[Under]</u>
Receipts				
Taxes and Shared Receipts				
Ad Valorem Property Tax	\$ 9,375	\$ 21,313	\$ 22,685	\$ [1,372]
Delinquent Tax	537	830	500	330
Motor Vehicle Tax	1,223	1,381	1,320	61
Recreational Vehicle Tax	12	13	11	2
16/20 M Vehicle Tax	5	6	7	[1]
Vehicle Rental Excise Tax	40	17	-	17
Commercial Vehicle Tax	39	39	34	5
Watercraft Tax	5	8	48	[40]
Mineral Tax	-	1	-	1
In Lieu of Tax	9	19	-	19
Use of Money and Property				
Interest Income	177	9	150	[141]
Other Receipts				
Miscellaneous	<u>2,000</u>	<u>-</u>	<u>-</u>	<u>-</u>
Total Receipts	<u>13,422</u>	<u>23,636</u>	<u>\$ 24,755</u>	<u>\$ [1,119]</u>
Expenditures				
General Government				
Capital Outlay	<u>27,500</u>	<u>27,500</u>	<u>\$ 27,500</u>	<u>\$ -</u>
Total Expenditures	<u>27,500</u>	<u>27,500</u>	<u>\$ 27,500</u>	<u>\$ -</u>
Receipts Over [Under] Expenditures	[14,078]	[3,864]		
Unencumbered Cash, Beginning	<u>18,454</u>	<u>4,376</u>		
Unencumbered Cash, Ending	<u>\$ 4,376</u>	<u>\$ 512</u>		

See independent auditor's report on the financial statements.

CITY OF INDEPENDENCE, KANSAS
 Liability Insurance Fund
 Schedule of Receipts and Expenditures - Actual and Budget
 Regulatory Basis
 For the Year Ended December 31, 2021
 (With Comparative Actual Amounts For the Year Ended December 31, 2020)

	Prior Year <u>Actual</u>	<u>Current Year</u>		Variance Over [Under]
		<u>Actual</u>	<u>Budget</u>	
Receipts				
Taxes and Shared Receipts				
Ad Valorem Property Tax	\$ 71,604	\$ 72,910	\$ 78,111	\$ [5,201]
Delinquent Tax	4,547	6,904	3,000	3,904
Motor Vehicle Tax	12,285	11,179	10,073	1,106
Recreational Vehicle Tax	121	99	88	11
16/20 M Vehicle Tax	44	62	55	7
Vehicle Rental Excise Tax	399	133	-	133
Commercial Vehicle Tax	393	300	261	39
Watercraft Tax	53	63	368	[305]
Mineral Tax	-	3	-	3
In Lieu of Tax	66	66	-	66
Use of Money and Property				
Interest Income	426	281	-	281
Other Receipts				
Reimbursed Expense	<u>2,940</u>	<u>52,753</u>	<u>-</u>	<u>52,753</u>
Total Receipts	<u>92,878</u>	<u>144,753</u>	<u>\$ 91,956</u>	<u>\$ 52,797</u>
Expenditures				
General Government				
Contractual Services	<u>74,067</u>	<u>67,432</u>	<u>\$ 96,000</u>	<u>\$ [28,568]</u>
Total Expenditures	<u>74,067</u>	<u>67,432</u>	<u>\$ 96,000</u>	<u>\$ [28,568]</u>
Receipts Over [Under] Expenditures	18,811	77,321		
Unencumbered Cash, Beginning	<u>24,325</u>	<u>43,136</u>		
Unencumbered Cash, Ending	<u>\$ 43,136</u>	<u>\$ 120,457</u>		

See independent auditor's report on the financial statements.

CITY OF INDEPENDENCE, KANSAS
Economic Development and Transportation Fund
Schedule of Receipts and Expenditures - Actual and Budget
Regulatory Basis
For the Year Ended December 31, 2021
(With Comparative Actual Amounts For the Year Ended December 31, 2020)

	Prior Year <u>Actual</u>	<u>Current Year</u>		Variance Over [Under]
		<u>Actual</u>	<u>Budget</u>	
Receipts				
Taxes and Shared Receipts				
Franchise Tax	\$ 283,322	\$ 286,755	\$ 287,000	\$ [245]
Use of Money and Property				
Interest Income	8,918	2,142	8,000	[5,858]
Other Receipts				
Reimbursed Expense	-	193,307	-	193,307
Total Receipts	<u>292,240</u>	<u>482,204</u>	<u>\$ 295,000</u>	<u>\$ 187,204</u>
Expenditures				
General Government				
Capital Outlay	98,343	101,266	\$ 450,700	\$ [349,434]
Capital Lease Payments	50,000	100,001	50,000	50,001
Operating Transfers Out	366,560	231,768	-	231,768
Total Expenditures	<u>514,903</u>	<u>433,035</u>	<u>\$ 500,700</u>	<u>\$ [67,665]</u>
Receipts Over [Under] Expenditures	[222,663]	49,169		
Unencumbered Cash, Beginning	797,948	617,033		
Prior Year Cancelled Encumbrances	<u>41,748</u>	<u>-</u>		
Unencumbered Cash, Ending	<u>\$ 617,033</u>	<u>\$ 666,202</u>		

See independent auditor's report on the financial statements.

CITY OF INDEPENDENCE, KANSAS
Tourism Fund
Schedule of Receipts and Expenditures - Actual and Budget
Regulatory Basis
For the Year Ended December 31, 2021
(With Comparative Actual Amounts For the Year Ended December 31, 2020)

	Prior Year <u>Actual</u>	<u>Current Year</u>		Variance Over <u>[Under]</u>
		<u>Actual</u>	<u>Budget</u>	
Receipts				
Taxes and Shared Revenue				
Transient Guest Tax	\$ 110,809	\$ 99,855	\$ 150,000	\$ [50,145]
Total Receipts	<u>110,809</u>	<u>99,855</u>	<u>\$ 150,000</u>	<u>\$ [50,145]</u>
Expenditures				
General Government				
Capital Outlay	<u>110,809</u>	<u>99,855</u>	<u>\$ 150,000</u>	<u>\$ [50,145]</u>
Total Expenditures	<u>110,809</u>	<u>99,855</u>	<u>\$ 150,000</u>	<u>\$ [50,145]</u>
Receipts Over [Under] Expenditures	-	-		
Unencumbered Cash, Beginning	<u>-</u>	<u>-</u>		
Unencumbered Cash, Ending	<u>\$ -</u>	<u>\$ -</u>		

See independent auditor's report on the financial statements.

CITY OF INDEPENDENCE, KANSAS
Educational Sales Tax Fund
Schedule of Receipts and Expenditures - Actual and Budget
Regulatory Basis
For the Year Ended December 31, 2021
(With Comparative Actual Amounts For the Year Ended December 31, 2020)

	Prior Year <u>Actual</u>	<u>Current Year</u>		Variance Over [Under]
		<u>Actual</u>	<u>Budget</u>	<u>[Under]</u>
Receipts				
Taxes and Shared Revenue				
Sales Tax	\$ 2,135,922	\$ 2,243,303	\$ 2,010,654	\$ 232,649
Total Receipts	<u>2,135,922</u>	<u>2,243,303</u>	<u>\$ 2,010,654</u>	<u>\$ 232,649</u>
Expenditures				
Culture and Recreation				
Contractual Services	2,032,326	2,145,521	\$ 2,090,900	\$ 54,621
Operating Transfers Out	<u>253,667</u>	<u>239,100</u>	<u>239,100</u>	<u>-</u>
Total Expenditures	<u>2,285,993</u>	<u>2,384,621</u>	<u>\$ 2,330,000</u>	<u>\$ 54,621</u>
Receipts Over [Under] Expenditures	<u>[150,071]</u>	<u>[141,318]</u>		
Unencumbered Cash, Beginning	319,346	169,275		
Prior Period Adjustment	<u>-</u>	<u>183,599</u>		
Unencumbered Cash, Beginning, Restated	<u>319,346</u>	<u>352,874</u>		
Unencumbered Cash, Ending	<u>\$ 169,275</u>	<u>\$ 211,556</u>		

See independent auditor's report on the financial statements.

CITY OF INDEPENDENCE, KANSAS
Quality of Life Sales Tax Fund
Schedule of Receipts and Expenditures - Actual and Budget
Regulatory Basis
For the Year Ended December 31, 2021
(With Comparative Actual Amounts For the Year Ended December 31, 2020)

	Prior Year <u>Actual</u>	<u>Current Year</u>		Variance Over <u>[Under]</u>
	<u>Actual</u>	<u>Actual</u>	<u>Budget</u>	
Receipts				
Use of Money and Property				
Interest Income	\$ -	\$ -	\$ 1,000	\$ [1,000]
Total Receipts	-	-	<u>1,000</u>	<u>[1,000]</u>
Expenditures				
Culture and Recreation				
Capital Outlay	<u>20,121</u>	<u>34,879</u>	<u>\$ 75,000</u>	<u>\$ [40,121]</u>
Total Expenditures	<u>20,121</u>	<u>34,879</u>	<u>\$ 75,000</u>	<u>\$ [40,121]</u>
Receipts Over [Under] Expenditures	[20,121]	[34,879]		
Unencumbered Cash, Beginning	<u>129,265</u>	<u>109,144</u>		
Unencumbered Cash, Ending	<u>\$ 109,144</u>	<u>\$ 74,265</u>		

See independent auditor's report on the financial statements.

CITY OF INDEPENDENCE, KANSAS
Special Use Sales Tax Fund
Schedule of Receipts and Expenditures - Actual and Budget
Regulatory Basis
For the Year Ended December 31, 2021
(With Comparative Actual Amounts For the Year Ended December 31, 2020)

	Prior Year <u>Actual</u>	<u>Current Year</u>		Variance Over Under <u>[Under]</u>
		<u>Actual</u>	<u>Budget</u>	
Receipts				
Taxes and Shared Revenue				
Sales Tax	\$ 2,135,922	\$ 2,243,303	\$ 3,138,000	\$ [894,697]
Total Receipts	<u>2,135,922</u>	<u>2,243,303</u>	<u>\$ 3,138,000</u>	<u>\$ [894,697]</u>
Expenditures				
General Government				
Capital Outlay	1,243,747	258,791	\$ 3,291,479	\$ [3,032,688]
Operating Transfers Out	<u>1,091,253</u>	<u>2,152,901</u>	<u>957,313</u>	<u>1,195,588</u>
Total Expenditures	<u>2,335,000</u>	<u>2,411,692</u>	<u>\$ 4,248,792</u>	<u>\$ [1,837,100]</u>
Receipts Over [Under] Expenditures	[199,078]	[168,389]		
Unencumbered Cash, Beginning	<u>1,510,792</u>	<u>1,311,714</u>		
Unencumbered Cash, Ending	<u>\$ 1,311,714</u>	<u>\$ 1,143,325</u>		

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CITY OF INDEPENDENCE, KANSAS
Non-Budgeted Special Purpose Funds
Schedule of Receipts and Expenditures - Actual*
Regulatory Basis
For the Year Ended December 31, 2021

	Special Park Fund	Crime Prevention Fund	Law Enforcement Trust Fund	Downtown Tree Replacement Fund	Demolition Fund
Receipts					
Use of Money and Property					
Interest Income	\$ 78	\$ -	\$ 106	\$ 57	\$ -
Rents	-	-	-	-	-
Other Receipts					
Charge Offs and Recoveries	-	-	-	-	-
Reimbursed Expense	37	-	-	-	-
Donations	19,133	-	296	-	-
Miscellaneous	6,754	-	2,380	-	16,897
Received from Housing Authority	-	-	-	-	-
Operating Transfers In	-	-	-	-	50,000
Total Receipts	<u>26,002</u>	<u>-</u>	<u>2,782</u>	<u>57</u>	<u>66,897</u>
Expenditures					
General Government					
Contractual Services	-	-	-	-	-
Commodities	-	175	-	-	-
Capital Outlay	<u>16,844</u>	<u>-</u>	<u>1,995</u>	<u>40</u>	<u>96,220</u>
Total Expenditures	<u>16,844</u>	<u>175</u>	<u>1,995</u>	<u>40</u>	<u>96,220</u>
Receipts Over [Under] Expenditures	9,158	[175]	787	17	[29,323]
Unencumbered Cash, Beginning	<u>18,285</u>	<u>1,580</u>	<u>25,469</u>	<u>15,332</u>	<u>148,605</u>
Unencumbered Cash, Ending	<u>\$ 27,443</u>	<u>\$ 1,405</u>	<u>\$ 26,256</u>	<u>\$ 15,349</u>	<u>\$ 119,282</u>

* - These funds are not required to be budgeted.

CITY OF INDEPENDENCE, KANSAS
Non-Budgeted Special Purpose Funds (Continued)
Schedule of Receipts and Expenditures - Actual*
Regulatory Basis
For the Year Ended December 31, 2021

Memorial Hall Fund	E-911 (Old) Fund	E-911 (New) Fund	K9 Fund	Incubator Building Fund	Logan Fountain Fund	City Grants Fund	Land Bank Fund
\$ -	\$ -	\$ 581	\$ 108	\$ -	\$ -	\$ -	\$ 96
-	-	-	-	64,539	-	-	-
-	-	-	-	[15,019]	-	-	-
-	-	-	-	-	-	-	-
-	-	-	2,750	-	-	-	-
-	-	139,158	-	-	-	-	3,206
-	-	-	-	-	-	50,000	50,000
-	-	-	-	-	-	109,768	-
-	-	139,739	2,858	49,520	-	159,768	53,302
-	-	-	1,474	-	-	-	-
-	-	-	35	-	-	-	-
90,643	-	41,444	-	-	120	137,772	-
90,643	-	41,444	1,509	-	120	137,772	-
[90,643]	-	98,295	1,349	49,520	[120]	21,996	53,302
165,000	4,697	115,734	28,343	16,760	514	77,298	-
\$ 74,357	\$ 4,697	\$ 214,029	\$ 29,692	\$ 66,280	\$ 394	\$ 99,294	\$ 53,302

* - These funds are not required to be budgeted.

CITY OF INDEPENDENCE, KANSAS
Grant Funds
Schedule of Receipts and Expenditures - Actual*
Regulatory Basis
For the Year Ended December 31, 2021

	Fire/EMS Grant Fund	Walmart Grant Fund	Federal Grants Fund
Receipts			
Intergovernmental			
Grants	\$ 4,636	\$ -	\$ 733,170
Other Receipts			
Reimbursed Expense	-	4,736	-
Donations	68,889	-	-
Total Receipts	<u>73,525</u>	<u>4,736</u>	<u>733,170</u>
Expenditures			
General Government			
Capital outlay	68,162	-	100,310
Total Expenditures	<u>68,162</u>	<u>-</u>	<u>100,310</u>
Receipts Over [Under] Expenditures	5,363	4,736	632,860
Unencumbered Cash, Beginning	<u>2,595</u>	<u>[1,690]</u>	<u>11,116</u>
Unencumbered Cash, Ending	<u>\$ 7,958</u>	<u>\$ 3,046</u>	<u>\$ 643,976</u>

* - These funds are not required to be budgeted.

CITY OF INDEPENDENCE, KANSAS
Bond and Interest Fund
Schedule of Receipts and Expenditures - Actual and Budget
Regulatory Basis
For the Year Ended December 31, 2021
(With Comparative Actual Amounts For the Year Ended December 31, 2020)

	Prior Year <u>Actual</u>	<u>Current Year</u>		Variance Over <u>[Under]</u>
	<u>Actual</u>	<u>Actual</u>	<u>Budget</u>	
Receipts				
Taxes and Shared Receipts				
Ad Valorem Property Tax	\$ [1,473]	\$ [461]	\$ -	\$ [461]
Delinquent Tax	9,752	2,416	-	2,416
Motor Vehicle Tax	1,232	-	-	-
Recreational Vehicle Tax	7	-	-	-
16/20 M Vehicle Tax	23	-	-	-
Vehicle Rental Excise Tax	70	-	-	-
Commercial Vehicle Tax	1	-	-	-
Special Assessments	8,412	8,412	-	8,412
Operating Transfers In	811,373	792,326	792,325	1
Total Receipts	<u>829,397</u>	<u>802,693</u>	<u>\$ 792,325</u>	<u>\$ 10,368</u>
Expenditures				
Debt Service				
Principal	960,000	910,000	\$ 655,000	\$ 255,000
Interest	162,206	142,425	137,325	5,100
Total Expenditures	<u>1,122,206</u>	<u>1,052,425</u>	<u>\$ 792,325</u>	<u>\$ 260,100</u>
Receipts Over [Under] Expenditures	[292,809]	[249,732]		
Unencumbered Cash, Beginning	<u>1,187,858</u>	<u>895,049</u>		
Unencumbered Cash, Ending	<u>\$ 895,049</u>	<u>\$ 645,317</u>		

See independent auditor's report on the financial statements.

CITY OF INDEPENDENCE, KANSAS
 Capital Reserve Funds
 Schedule of Receipts and Expenditures - Actual*
 Regulatory Basis
 For the Year Ended December 31, 2021

	General Capital Reserve Fund	Streets Capital Reserve Fund	Airport Capital Reserve Fund	Water/Sewer Capital Reserve Fund
Receipts				
Intergovernmental				
Special Highway Tax	\$ -	\$ 116,213	\$ -	\$ -
Grants	-	-	88,500	-
Use of Money and Property				
Interest Income	-	-	-	9,148
Other Receipts				
Reimbursed Expense	149,994	-	-	-
Miscellaneous	-	-	574,419	-
Received from Housing Authority	-	25,000	-	-
Operating Transfers In	<u>279,252</u>	<u>1,137,257</u>	<u>52,500</u>	<u>1,100,000</u>
Total Receipts	<u>429,246</u>	<u>1,278,470</u>	<u>715,419</u>	<u>1,109,148</u>
Expenditures				
General Government				
Capital Outlay	251,805	1,156,215	1,080,913	60,847
Capital Lease Payment	<u>163,736</u>	<u>-</u>	<u>-</u>	<u>-</u>
Total Expenditures	<u>415,541</u>	<u>1,156,215</u>	<u>1,080,913</u>	<u>60,847</u>
Receipts Over [Under] Expenditures	13,705	122,255	[365,494]	1,048,301
Unencumbered Cash, Beginning	<u>125,116</u>	<u>160,437</u>	<u>269,290</u>	<u>2,410,547</u>
Unencumbered Cash, Ending	<u>\$ 138,821</u>	<u>\$ 282,692</u>	<u>\$ [96,204]</u>	<u>\$ 3,458,848</u>

* - These funds are not required to be budgeted.

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CITY OF INDEPENDENCE, KANSAS
Capital Project Funds
Schedule of Receipts and Expenditures - Actual*
Regulatory Basis
For the Year Ended December 31, 2021

	Skate Park Fund	Water Treatment Facility Upgrade Fund	City Projects Fund
Receipts			
Use of Money and Property			
Interest Income	\$ -	\$ -	\$ -
Rents	-	-	-
Other Receipts			
Charge Offs and Recoveries	-	-	-
Reimbursed Expense	-	-	-
Donations	-	-	150,001
Miscellaneous	-	-	-
Operating Transfers In	-	-	97,000
Total Receipts	<u>-</u>	<u>-</u>	<u>247,001</u>
Expenditures			
General Government			
Contractual Services	-	-	-
Commodities	-	-	-
Capital Outlay	-	39,000	314,747
Capital Lease Payment	-	-	-
Operating Transfers Out	-	-	-
Total Expenditures	<u>-</u>	<u>39,000</u>	<u>314,747</u>
Receipts Over [Under] Expenditures	-	[39,000]	[67,746]
Unencumbered Cash, Beginning	<u>1,695</u>	<u>[113,856]</u>	<u>75,000</u>
Unencumbered Cash, Ending	<u>\$ 1,695</u>	<u>\$ [152,856]</u>	<u>\$ 7,254</u>

* - These funds are not required to be budgeted.

CITY OF INDEPENDENCE, KANSAS
Capital Project Funds (Continued)
Schedule of Receipts and Expenditures - Actual*
Regulatory Basis
For the Year Ended December 31, 2021

Peter Pan Geometric Project Fund	Penn/Chestnut - Oak Project Fund	2015-2016 KLINK Project Fund	Airport Restroom Project Fund	Curb Ramps Project Fund	WPC Loan C20 2043 Project Fund
\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
-	-	-	-	-	-
-	-	-	-	-	-
-	-	-	-	-	-
-	-	-	-	-	-
-	-	-	-	-	-
<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
-	-	-	-	-	-
-	-	-	-	-	-
-	-	-	-	61,289	97,942
-	-	-	-	-	-
<u>44,994</u>	<u>-</u>	<u>-</u>	<u>2,500</u>	<u>-</u>	<u>-</u>
<u>44,994</u>	<u>-</u>	<u>-</u>	<u>2,500</u>	<u>61,289</u>	<u>97,942</u>
[44,994]	-	-	[2,500]	[61,289]	[97,942]
<u>44,994</u>	<u>34,943</u>	<u>318,879</u>	<u>2,500</u>	<u>235,651</u>	<u>-</u>
\$ -	\$ 34,943	\$ 318,879	\$ -	\$ 174,362	\$ [97,942]

* - These funds are not required to be budgeted.

CITY OF INDEPENDENCE, KANSAS
 Airport Fund
 Schedule of Receipts and Expenditures - Actual and Budget
 Regulatory Basis
 For the Year Ended December 31, 2021
 (With Comparative Actual Amounts For the Year Ended December 31, 2020)

	Prior Year <u>Actual</u>	<u>Current Year</u>		Variance Over [Under]
		<u>Actual</u>	<u>Budget</u>	<u>[Under]</u>
Receipts				
Intergovernmental				
Federal Grants	\$ 20,000	\$ -	\$ -	\$ -
Charges for Service				
Fuel Sales	490,662	574,182	550,000	24,182
Rents	179,899	153,352	119,300	34,052
Use of Money and Property				
Interest Income	1,599	1,282	1,000	282
Sale of Assets	14,000	-	-	-
Other Receipts				
Reimbursed Expense	6,152	11,495	-	11,495
Miscellaneous	1,893	11,970	-	11,970
Capital Lease Proceeds	90,288	-	-	-
Total Receipts	<u>804,493</u>	<u>752,281</u>	<u>\$ 670,300</u>	<u>\$ 81,981</u>
Expenditures				
Finance and Records Department				
Personal Services	101,205	105,224	\$ 111,839	\$ [6,615]
Contractual Services	121,853	121,666	162,421	[40,755]
Commodities	273,064	498,524	375,969	122,555
Capital Outlay	90,287	[1,166]	19,298	[20,464]
Capital Lease Payments	9,649	19,297	-	19,297
Total Expenditures	<u>596,058</u>	<u>743,545</u>	<u>\$ 669,527</u>	<u>\$ 74,018</u>
Receipts Over [Under] Expenditures	<u>208,435</u>	<u>8,736</u>		
Unencumbered Cash, Beginning	72,497	280,932		
Prior Period Adjustment	-	[533]		
Unencumbered Cash, Beginning, Restated	<u>72,497</u>	<u>280,399</u>		
Unencumbered Cash, Ending	<u>\$ 280,932</u>	<u>\$ 289,135</u>		

See independent auditor's report on the financial statements.

CITY OF INDEPENDENCE, KANSAS
Water and Sewer Utility Fund
Schedule of Receipts and Expenditures - Actual and Budget
Regulatory Basis
For the Year Ended December 31, 2021
(With Comparative Actual Amounts For the Year Ended December 31, 2020)

	Prior Year	Current Year		Variance Over
	<u>Actual</u>	<u>Actual</u>	<u>Budget</u>	<u>[Under]</u>
Receipts				
Charges for Service				
Water Sales	\$ 2,714,858	\$ 2,945,079	\$ 2,888,930	\$ 56,149
Sewer Charges	2,281,441	2,410,289	2,451,330	[41,041]
Late Fees	104,805	129,000	70,000	59,000
Turn on & Turn off	33,638	46,429	30,000	16,429
Charge Offs and Recoveries	33,461	[164,494]	20,000	[184,494]
Other Charges	[172]	2,250	1,000	1,250
Use of Money and Property				
Interest Income	40,034	12,875	50,000	[37,125]
Other Receipts				
Reimbursed Expense	32	724	-	724
Miscellaneous	13,584	13,542	14,000	[458]
Insurance Proceeds	8,239	-	-	-
Total Receipts	<u>5,229,920</u>	<u>5,395,694</u>	<u>\$ 5,525,260</u>	<u>\$ [129,566]</u>
Expenditures				
Water Production				
Personal Services	451,750	490,433	\$ 482,191	\$ 8,242
Contractual Services	151,374	163,397	302,600	[139,203]
Commodities	307,929	399,079	379,700	19,379
Capital Outlay	82,879	-	-	-
	<u>993,932</u>	<u>1,052,909</u>	<u>1,164,491</u>	<u>[111,582]</u>
Water Distribution				
Personal Services	395,112	434,960	512,604	[77,644]
Contractual Services	6,712	36,485	26,470	10,015
Commodities	196,834	239,142	149,500	89,642
Capital Outlay	2,745	34,000	625,000	[591,000]
	<u>601,403</u>	<u>744,587</u>	<u>1,313,574</u>	<u>22,013</u>
Sewer Treatment				
Personal Services	197,932	220,602	227,735	[7,133]
Contractual Services	217,091	160,695	217,900	[57,205]
Commodities	10,698	44,319	51,150	[6,831]
Capital Outlay	30,093	-	-	-
	<u>455,814</u>	<u>425,616</u>	<u>496,785</u>	<u>[71,169]</u>

See independent auditor's report on the financial statements.

CITY OF INDEPENDENCE, KANSAS
Water and Sewer Utility Fund (Continued)
Schedule of Receipts and Expenditures - Actual and Budget
Regulatory Basis
For the Year Ended December 31, 2021
(With Comparative Actual Amounts For the Year Ended December 31, 2020)

	Prior Year <u>Actual</u>	Current Year		Variance Over [Under]
		<u>Actual</u>	<u>Budget</u>	
Expenditures (Continued)				
Sewer Collections				
Personal Services	\$ 57,304	\$ 64,110	\$ 93,223	\$ [29,113]
Contractual Services	15,025	62,229	16,000	46,229
Commodities	1,603	95,545	84,000	11,545
Capital Outlay	115,788	-	50,000	[50,000]
	<u>189,720</u>	<u>221,884</u>	<u>243,223</u>	<u>[21,339]</u>
Water/Sewer Administration				
Personal Services	102,465	151,742	208,791	[57,049]
Contractual Services	217,490	308,871	281,325	27,546
Commodities	1,184	3,923	2,000	1,923
Capital Outlay	-	32,051	217,642	[185,591]
	<u>321,139</u>	<u>496,587</u>	<u>709,758</u>	<u>[213,171]</u>
Debt Service				
Principal	137,518	140,977	195,933	[54,956]
Interest	80,376	54,956	-	54,956
	<u>217,894</u>	<u>195,933</u>	<u>195,933</u>	<u>-</u>
Mg Co Sewer District KDHE	8,028	8,028	8,028	-
Operating Transfers Out	<u>1,915,163</u>	<u>2,028,413</u>	<u>1,378,413</u>	<u>650,000</u>
Total Expenditures	<u>4,703,093</u>	<u>5,173,957</u>	<u>\$ 5,510,205</u>	<u>\$ 254,752</u>
Receipts Over [Under] Expenditures	526,827	221,737		
Unencumbered Cash, Beginning	2,543,314	3,155,691		
Prior Period Adjustment	-	[6,631]		
Unencumbered Cash, Beginning, Restated	2,543,314	3,149,060		
Prior Year Cancelled Encumbrance	<u>85,550</u>	<u>246,225</u>		
Unencumbered Cash, Ending	<u>\$ 3,155,691</u>	<u>\$ 3,617,022</u>		

See independent auditor's report on the financial statements.

CITY OF INDEPENDENCE, KANSAS
Sanitation Utility Fund
Schedule of Receipts and Expenditures - Actual and Budget
Regulatory Basis
For the Year Ended December 31, 2021
(With Comparative Actual Amounts For the Year Ended December 31, 2020)

	Prior Year <u>Actual</u>	<u>Current Year</u>		Variance Over [Under]
		<u>Actual</u>	<u>Budget</u>	<u>[Under]</u>
Receipts				
Charges for Service				
Trash Collections	\$ 1,158,362	\$ 1,177,258	\$ 1,165,000	\$ 12,258
Charge Offs and Recoveries	3,748	[10,638]	6,000	[16,638]
Other Charges	4,573	10,203	5,000	5,203
Use of Money and Property				
Interest Income	6,893	2,978	10,000	[7,022]
Other Receipts				
Reimbursed Expense	16,881	123,521	-	123,521
Miscellaneous	2,381	7,651	2,000	5,651
Total Receipts	<u>1,192,838</u>	<u>1,310,973</u>	<u>\$ 1,188,000</u>	<u>\$ 122,973</u>
Expenditures				
Collections				
Personal Services	430,556	462,168	\$ 491,446	\$ [29,278]
Contractual Services	447,292	452,666	501,625	[48,959]
Commodities	59,458	100,934	76,000	24,934
Capital Outlay	-	193,807	200,000	[6,193]
Capital Lease Payment	25,379	12,786	12,690	96
Operating Transfers In	289,540	100,000	100,000	-
Total Expenditures	<u>1,252,225</u>	<u>1,322,361</u>	<u>\$ 1,381,761</u>	<u>\$ [59,400]</u>
Receipts Over [Under] Expenditures	<u>[59,387]</u>	<u>[11,388]</u>		
Unencumbered Cash, Beginning	755,228	695,841		
Prior Period Adjustment	-	[1,229]		
Unencumbered Cash, Beginning, Restated	<u>755,228</u>	<u>694,612</u>		
Unencumbered Cash, Ending	<u>\$ 695,841</u>	<u>\$ 683,224</u>		

See independent auditor's report on the financial statements.

CITY OF INDEPENDENCE, KANSAS
 Grinder Pump Replacement Fund
 Schedule of Receipts and Expenditures - Actual*
 Regulatory Basis
 For the Year Ended December 31, 2021

	<u>Actual</u>
Receipts	
Charges for Service	
Sewer Charges	\$ 8,304
Use of Money and Property	
Interest Income	<u>732</u>
Total Receipts	<u>9,036</u>
Expenditures	
Public Works	
Contractual Services	<u>45</u>
Total Expenditures	<u>45</u>
Receipts Over [Under] Expenditures	8,991
Unencumbered Cash, Beginning	<u>256,555</u>
Unencumbered Cash, Ending	<u>\$ 265,546</u>

* - This fund is not required to be budgeted.

CITY OF INDEPENDENCE, KANSAS
 Agency Funds
 Summary of Receipts and Disbursements
 Regulatory Basis
 For the Year Ended December 31, 2021

<u>FUNDS</u>	<u>Beginning Cash Balance</u>	<u>Receipts</u>	<u>Disbursements</u>	<u>Ending Cash Balance</u>
Fire Insurance Proceeds	\$ 9,975	\$ 10,260	\$ -	\$ 20,235
Alcohol Assessment	3,820	-	-	3,820
First Aid Training	<u>1,742</u>	<u>1,454</u>	<u>727</u>	<u>2,469</u>
Total Agency Funds	<u>\$ 15,537</u>	<u>\$ 11,714</u>	<u>\$ 727</u>	<u>\$ 26,524</u>

CITY OF INDEPENDENCE, KANSAS
 Related Municipal Entity - Housing Authority of The City of Independence, Kansas
 Schedule of Receipts and Expenditures - Actual*
 Regulatory Basis
 For the Year Ended December 31, 2021

	<u>Actual</u>
Receipts	
Charges for Services	
Rents	\$ 547,034
Cable	14,626
Use of Money and Property	
Interest Income	17,481
Intergovernmental	
HAP Payments	439,632
Federal Grants	63,088
Operations	
Security Deposits	11,718
Other Receipts	
Miscellaneous	30,826
Management Fees	17,509
Reimbursement	1,065
Rental Fee	1,174
Total Receipts	<u>1,144,153</u>
Expenditures	
Personal Services	440,039
Contractual Services	577,267
Commodities	57,062
Capital Outlay	113,215
Receipts Over [Under] Expenditures	<u>1,187,583</u>
Receipts Over [Under] Expenditures	<u>[43,430]</u>
Unencumbered Cash, Beginning	4,840,074
Prior Period Adjustment	<u>[3,282]</u>
Unencumbered Cash, Beginning, Restated	<u>4,836,792</u>
Unencumbered Cash, Ending	<u>\$ 4,793,362</u>

* - This fund is not required to be budgeted.

AUDITOR'S COMMENTS TO MANAGEMENT

Mayor and City Commission
City of Independence, Kansas

In planning and performing our audit of the financial statements of the City of Independence, Kansas, as of and for the year ended December 31, 2021, we considered the City's internal control over financial reporting as a basis for designing our auditing procedures for the purpose of expressing an opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control.

However, during our audit, we became aware of several matters that are opportunities for strengthening internal controls and operating efficiency. This letter does not affect our report dated July 1, 2022, on the financial statements of the City of Independence, Kansas.

We will review the status of these comments during our next audit engagement. We have already discussed the comments and suggestions with various City personnel, and we will be pleased to discuss the comments in further detail at your convenience, to perform any additional study of these matters, or to assist you in implementing the recommendations. Our comments are summarized as follows:

1. During the audit, we noted four bank accounts with the name of a former employee listed as an authorized signer. We recommend that a new signature card be prepared for these accounts.
2. During the audit, we noted the City has outstanding checks that were issued between 2014 and 2019. Per K.S.A. 58-3934 and K.S.A. 10-816, outstanding payroll checks that are one year or older should be remitted to the Kansas State Treasurer Office's Unclaimed Property Division. Outstanding accounts payable checks two years or older should be canceled and restored to the fund originally charged. We recommend the City follow these statutes regarding outstanding checks.
3. During the audit, we tested 25 credit card purchases for compliance with the City's credit card policy. We noted six purchases included the payment of sales tax. We recommend that the City avoid paying sales tax on transactions when not required.

This report is intended for the use of the mayor, city commission and other members of management of the City of Independence, Kansas and should not be used by anyone other than these specified parties.

Gordon CPA LLC

Certified Public Accountant
Lawrence, Kansas

July 1, 2022

AUDITOR'S COMMUNICATION WITH THOSE CHARGED WITH GOVERNANCE
AT THE CONCLUSION OF THE AUDIT

Mayor and City Commission
City of Independence, Kansas

We have audited the financial statements of the City of Independence, Kansas for the year ended December 31, 2021. Professional standards require that we provide you with information about our responsibilities under generally accepted auditing standards, as well as certain information related to the planned scope and timing of our audit. Professional standards also require that we communicate to you the following information related to our audit.

Significant Audit Matters

Qualitative Aspects of Accounting Practices

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by the City are described in Note 1 to the financial statements. No new accounting policies were adopted and the application of existing policies was not changed during the year ended December 31, 2021. We noted no transactions entered into by the City during the year for which there is a lack of authoritative guidance or consensus. All significant transactions have been recognized in the financial statements in the proper period.

The financial statement disclosures are neutral, consistent, and clear.

Difficulties Encountered in Performing the Audit

We encountered no significant difficulties in dealing with management in performing and completing our audit.

Corrected and Uncorrected Misstatements

Professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that are clearly trivial, and communicate them to the appropriate level of management. Management has corrected all such misstatements. In addition, none of the misstatements detected as a result of audit procedures and corrected by management were material, either individually or in the aggregate, to the financial statements taken as a whole.

Disagreements with Management

For purposes of this letter, a disagreement with management is a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or the auditor's report. We are pleased to report that no such disagreements arose during the course of our audit.

Management Representations

We have requested certain representations from management that are included in the management representation letter dated July 1, 2022.

Management Consultations with Other Independent Accountants

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to the City's financial statements or a determination of the type of auditor's opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

Other Audit Findings or Issues

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as the City of Independence, Kansas's auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition of our retention.

Other Matters

We were engaged to report on regulatory required supplementary information which accompanies the financial statements. With respect to this supplementary information, we made certain inquiries of management and evaluated the form, content, and methods of preparing the information to determine that the information complies with accounting policies used by the City as described in Note 1 to the financial statements, the method of preparing it has not changed from the prior period, and the information is appropriate and complete in relation to our audit of the financial statements. We compared and reconciled the supplementary information to the underlying accounting records used to prepare the financial statements or to the financial statements themselves.

Restriction of Use

This information is intended solely for the use of the mayor and city commission and management of the City of Independence, Kansas and is not intended to be, and should not be, used by anyone other than these specified parties.

Gordon CPA LLC

Certified Public Accountant
Lawrence, Kansas

July 1, 2022



REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
July 14, 2022

Department City Clerk

Director Approval David Schwenker

AGENDA ITEM Consider approving City Commission minutes from May 12, 18 and 26, 2022.

SUMMARY RECOMMENDATION Approve the minutes as prepared by the City Clerk.

BACKGROUND

FINANCIAL INFORMATION

SUGGESTED MOTION I move to approve the City Commission minutes from May 12th, 18th and 26th, 2022.

SUPPORTING DOCUMENTS

1. May 12 2022 Minutes - Unapproved
2. May 18 2022 Special Meeting Minutes - Unapproved
3. May 26 2022 Minutes - Unapproved

Minutes of the City Commission's May 12, 2022 Meeting

I. REGULAR SESSION

Commissioners Present: Mayor Dean Hayse, Vice-Mayor Tim Emert, Commissioner Louis Ysusi

City Staff Present: Dan Reynolds, City Attorney; David Cowan, Assistant City Manager; Kelly Passauer, City Manager; David Schwenker, City Clerk/City Treasurer; Shawn Wallis, Fire/EMS Chief; Brian McHugh, Memorial Hall Supervisor; Lacey Lies, Director of Finance; Jerry Harrison, Chief of Police; April Nutt, Director of Housing Authority; Mike DeVore, Memorial Hall Maintenance; Keith Copithke, Captain/EMT; Jaracia Brown, Firefighter/Paramedic; Brian Bennett, Firefighter/EMT; Alex Martin, Firefighter/Paramedic; Kayla Baugher, Firefighter/EMT; Malcom Raynor, Firefighter/EMT and Sandra Alspaugh, Firefighter/Paramedic.

Visitors Present: Larry McHugh, Brea Sanford, Lori Johnson, Sherii Farmer, Kari West, Ashley Schmitt, Robert Cain, Clara Stark, Bill Caflisch, Tannae Kuring, Jordin Schmitt, Babs Emert, Dana Darbro, LaVeta Darbro, Lora Banning, Windy Adams, Rick Whitson, Ray Woods, David Schmitt, Graysin Schmitt and Ned Stichman.

A. Call to Order

Mayor Hayse called the meeting to order.

B. Pledge of Allegiance to the United States of America

C. Adoption of Agenda

Motion:

On the motion of Louis Ysusi, seconded by Tim Emert the Commission adopted the agenda.

Aye: Tim Emert, Dean Hayse, Louis Ysusi

Nay: None

II. PRESENTATIONS

A. Presentation of Lifesaving Awards for Keenan Fyfe and Jordan Schmidt:

On April 8, 2022 Fire/EMS was dispatched to a structure fire located on South

14th Street. Upon arrival, heavy smoke and flames were visible. When advised of a potential victim still inside, Lt. Keenan Fyfe and Rural Firefighter Jordan Schmidt entered the structure for an initial search and located the victim in a bedroom, and moved the victim outside to an awaiting ambulance.

III. CONSENT AGENDA

Motion:

On the motion of Tim Emert, seconded by Louis Ysusi the Commission adopted the consent agenda..

Aye: Tim Emert, Dean Hayse, Louis Ysusi

Nay: None

- A. Consider approving City Commission minutes from February 1, 10, 16 and 24, 2022.
- B. Consider authorizing a maintenance agreement with the Gun Club.

The City of Independence renewed the Independence Gun Club Skeet lease on September 8, 2022. Having lease agreements in place with established rates is a requirement of the FAA. The City had negotiated a maintenance agreement with the Gun Club to take care of maintenance and cleaning of the shooting berm at the airport. The Gun Club lease was for \$121.59 a month, and the maintenance agreement would have paid the Gun Club \$121.59. The Gun Club attempted to find lawn service but could not afford any bids received. The City has continued to maintain the berm and mow, and the Gun Club has been making a \$121.59 per month lease payment.

The Gun Club has contacted us and is willing to sign a new agreement to maintain the berm without the mowing responsibility. The Gun Club is also willing to work with the City on possible improvements to the berm in the future.

- C. Consider a right-of-way agreement with Kansas Fiber Network.

The City of Independence has been working with the City Attorney and Penny Speake on updating our right-of-way agreements. The attached agreement is with Kansas Fiber Network and allows access to the City rights-of-way. The agreement sets an annual fee of \$3,979.66 with an increase of 3% each year for 10 years with an automatic one-year renewal thereafter unless a 180-day

notification is given to terminate the agreement.

- D. Consider authorizing a Greenbush Energy Group Participation Agreement & Hedging Authorization, and Woodriver Energy Base Agreement to acquire natural gas.

City staff has been working with Greenbush Energy Group for approximately six years for the acquisition of Natural Gas for Building D and Memorial Hall. This agreement kept the price volatility of February 2021's unprecedented winter storm from having a significant impact on the budget. However, we have received a recommendation from David Banks who manages the Greenbush Energy Group that members engage Woodriver Energy as their supplier of natural gas for the term of July 1, 2022, through June 30, 2025. The vendor margins, terms and conditions for purchase, transport and delivery are similar to current agreements in place with Encore with the exception swing volume price is protected at 100%. Market prices continue to increase at an alarming rate since the February 2021 Storm. Those market increases will be reflected in the final pricing. It is requested the participation/hedging authorization be signed and returned as quickly as possible as we engage the necessary procedures to change suppliers. The City should expect to be contacted by Woodriver Energy with a transaction confirmation agreement which will require a signature before service can begin July 1, 2022. Greenbush Energy Group is doing everything possible to obtain an agreement with adequate risk management provisions at a suitable market price, and they expect to finalize suppliers and contract language by May 10, 2022.

For the Greenbush Energy Group Participation Agreement, there is a participation fee of \$450 annually plus a service cost fee of five cents per Mcf per year based on the previous year's usage. For the Woodriver Energy transaction agreement, David Banks recommends the cost of commodity plus LDC delivery services for 2022/2023 budget purposes be \$11.00/Mcf. This is a significant increase from the recommended \$6.25 in 2021/2022 due to increases in market price and higher costs for appropriate risk management terms.

- E. Consider assigning a lease with Regional Medical Labs to Laboratory Corporation of America Holdings

Regional Medical Laboratory, Inc, an affiliate of Ascension, has contacted the City and is requesting to assign its lease at City Hall, 811 West Laurel, to Laboratory Corporation of America Holdings. They purchased the business and the sales transaction will be closing on May 31, 2022. The City Attorney

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has reviewed the agreement and will be available to answer any questions the Commissioners may have.

- F. Consider adopting an ordinance repealing certain provisions of the City Weed Ordinance and setting forth vegetation height at 8 inches.**

The Code Enforcement Department is currently enforcing a vegetation violation starting at 12 inches. The Ordinance requires the officer to send a letter to the owner, giving them a week to correct the violation. The Code Enforcement officer then must return and inspect the yard. She then turns in a work order to mow the yard if it has not been mowed. The mowing crew often is mowing grass between 16 inches to 24 inches tall by the time they arrive at the location.

The Code Enforcement Officer has checked with other cities and discovered they send a violation notice when the vegetation is between 6 to 10-inch tall. The Code Enforcement officer reviewed this issue with the Beautification Committee, and they recommended amending the Ordinance to establish 8 inches high vegetation as a violation.

IV. ITEMS FOR COMMISSION ACTION

- A. Consider proclaiming May 22, 2022 as "Harold R. Andrews American Legion Auxiliary Unit 139 Centennial Day"; and consider proclaiming May 27, 2022 as National Poppy Day.**

The American Legion Auxillary has requested that the City proclaim May 22, 2022 as "Harold R. Andrews American Legion Auxiliary Unit 139 Centennial Day"; and proclaim May 27, 2022 as National Poppy Day.

Motion:

On the motion of Louis Ysusi, seconded by Tim Emert the Commission proclaimed May 22, 2022 as "Harold R. Andrews American Legion Auxiliary Unit 139 Centennial Day"; and proclaimed May 27, 2022 as National Poppy Day.

Aye: Tim Emert, Dean Hayse, Louis Ysusi

Nay: None

- B. Consider proclaiming May 15th through 21st as EMS Week.**

In 1974, President Gerald Ford authorized EMS Week to celebrate EMS

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practitioners and the important work they do in our nation's communities. Back then, EMS was a new profession, and EMS practitioners had only just started to be recognized as a critical component of emergency medicine and the public health safety net. Today, things have surely changed as our EMS professionals are on the front-line of the COVID-19 crisis—planning, adapting and responding every day to take care of the communities that we serve.

Motion:

On the motion of Tim Emert, seconded by Louis Ysusi the Commission proclaimed the week of May 15th through 21st as EMS Week.

Aye: Tim Emert, Dean Hayse, Louis Ysusi

Nay: None

C. Consider City Board Appointments.

- 1. Library Board of Trustees -- Rachel Koszalka and Michelle Anderson are eligible to serve an additional term and they would both like to be reappointed.**
- 2. Housing Authority -- Rita Ortolani and Eddie Rodgers are eligible to serve an additional term and would both like to be reappointed.**
- 3. Landbank -- Jeri Hammerschmidt and Lisa Richard are eligible to serve an additional term and they both would like to be reappointed.**
- 4. Park Board -- Steve McBride and Jim Hogan are eligible to serve an additional term and they would both like to be reappointed. Val DeFever has served two full terms and we would like to thank her for her service. Applications will be received for this opening until noon on June 17, 2022. Ms. DeFever will continue to serve on the board until she is replaced.**
- 5. Tree Board -- Tim Haynes is eligible to serve an additional term, however, he does not wish to be reappointed. Twila Hawthorne has served two full terms and we would like to thank her and Tim for their service. Applications will be received for this opening until noon on June 3, 2022.. Mr. Haynes and Ms. Hawthorne will continue to serve on the board until they are replaced.**
- 6. Recreation Commission -- Tony Turner has served two full terms and we would like to thank him for his service. Applications will be received for this opening until noon on June 17, 2022. Mr. Turner will continue to serve on the board until he is replaced.**
- 7. Historic Preservation Resource Commission (Certified Local Government) -- We have two vacancies on this board. Applications are due by Noon on May 20, 2022.**

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Motion:

On the motion of Dean Hayse, seconded by Tim Emert the Commission reappointed Rachel Koszalka to a 1st term and Michelle Anderson to a 2nd term on the Independence Library District Board of Trustees.

Aye: Tim Emert, Dean Hayse, Louis Ysusi

Nay: None

Motion:

On the motion of Dean Hayse, seconded by Louis Ysusi the Commission reappointed Rita Ortolani to a 1st term and Eddie Rodgers to a 2nd term on the Independence Housing Authority.

Aye: Tim Emert, Dean Hayse, Louis Ysusi

Nay: None

Motion:

On the motion of Dean Hayse, seconded by Tim Emert the Commission reappoint Jeri Hammerschmidt to a 1st term and Lisa Richard to a 2nd term on the Independence Landbank Board.

Aye: Tim Emert, Dean Hayse, Louis Ysusi

Nay: None

Motion:

On the motion of Dean Hayse, seconded by Louis Ysusi the Commission reappointed Steve McBride to a 1st term and Jim Hogan to a 2nd term on the Independence Park Board.

Aye: Tim Emert, Dean Hayse, Louis Ysusi

Nay: None

- D. Consider accepting a land donation from Evergy for the Central Park Sports Complex Project**

The City of Independence has been working with Evergy to help support the renovation and expansion of the sporting complex on Park Blvd, to be known as the Central Park Sports Complex. Evergy has agreed to donate land to the east of the current baseball field that they no longer utilize, to support the expansion of a future baseball field and trail.

Motion:

On the motion of Tim Emert, seconded by Louis Ysusi the Commission

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accepted with appreciation the donation of land outlined in the Evergy Donation Agreement pending City Attorney approval.

Aye: Tim Emert, Dean Hayse, Louis Ysusi

Nay: None

E. Consider approving Change Orders for the Fire-EMS project.

Two change orders, PCCOR #005 and PCCOR #006 have been submitted to the City by McCown Gordon.

PCCOR #005 consists of:

- a deductive change to the paint (savings of \$7,948.65)**
- a change to interior door hardware for security (additional cost of \$313.50),**
- an additional stem wall added near the patio at a cost of \$6,589.47, and**
- addition of \$386.61 to the owner contingency.**

Of the constituents, the stem wall was not requested by the City. This stem wall was necessary due to the grades surrounding the northern patio to ensure future building integrity due to outside moisture. Although the engineering necessity of the change is not currently disputed, the cost is still being examined. It is requested that the change order be approved at this point to not interfere with building construction timelines, but that this number is subject to additional verification.

PCCOR #006 consists of a single item, namely the addition of approximately 40 cubic yards of additional foundation concrete and steel required due to the load analysis on the building. Unanticipated aerodynamic uplift forces due to wind loads required a heavier foundation than would be normally anticipated. The pricing of this work at \$14,040.32 has been analyzed and is favorable to the City. It is requested that the change order be approved.

Motion:

On the motion of Tim Emert, seconded by Louis Ysusi the Commission approved PCCOR #005 and PCCOR #006.

Aye: Tim Emert, Dean Hayse, Louis Ysusi

Nay: None

- F. Consider adopting a Resolution of Support for a Transportation Alternatives Program Application and Maintenance Commitment.**

This proposed transportation alternative project is aimed at creating equitable and accessible transportation routes to key areas of town. While the goal of these routes will be a safe, connected transportation system that accommodates all users, we are confident that they will also be widely used for recreation and will connect citizens with work and education opportunities, access to food and shopping, and healthcare services, which in turn will promote our goal of creating a healthier community. The City has progressively developed to the West along Main Street (US 75), with the modern shopping/business district being located near the intersection of Peter Pan and West Main. Development in this area includes Wal-Mart, Orschelns, several mini-malls, Independence Community College's West Campus facility, and the recently constructed Labette Health facility, which replaced the recently closed Hospital in Independence.

Currently, Main Street west of 21st Street is not a walkable thoroughfare. The existing pedestrian pathway on West Main that originally served the City now ends at 21st Street, well short of Peter Pan/West Main intersection. A substantial amount of pedestrian traffic continues west of 21st Street to reach the commercial area and Labette Health, as well as Four County Mental Health west of Peter Pan. This undefined pathway goes under a railroad overpass (rail over road) on West Main. Pedestrians in this area either walk the edge of the highway, or in the grass at the edge of the highway. This is incredibly dangerous for both pedestrians and motorists.

On Peter Pan, ramps exist at the intersection. However, no sidewalk exists to the recently constructed Labette Health Center, which provides a 24-hour Emergency Room, Clinic, and Cancer Treatment Center.

On Laurel Street, no sidewalk exists west of the railroad tracks leading to the same area (Hospital and Wal-Mart). The sidewalk ends short of the SKO Railroad and is needed to connect residential neighborhoods with the targeted commercial area. Several sections of the existing sidewalk on Laurel Street are also missing or dilapidated in the residential area.

To accommodate bicycles and multi-modal transportation methods, such as mobility scooters, in addition to pedestrians, a 10-ft wide multi-use path is proposed on Main Street. This will provide a safer means for bicycle traffic to reach the desired area than having a bicycle lane, or shared lane, on Main Street (US 75). On Laurel and Peter Pan, 8-foot-wide sidewalks are proposed to accommodate pedestrians and mobility scooters. A marked bike lane is

proposed on Laurel St. from 10th to Main to support cyclists along this route. The City intends to seek additional input from the community on a City-Wide bicycle and trails plan. These West Main and Laurel Street improvements would serve as major connections to other auxiliary paths throughout town.

West Main and Laurel Street were strategically selected for a transportation alternative project because numerous pedestrians travel in these locations and either utilize the roadway or the grass at the edge of the road, which is a huge safety concern. These proposed paths will serve as connections from our most underserved areas to the commercial districts where citizens work, shop, dine, and receive health and mental care services. Access to this area of town, especially via alternative transportation, means would be a huge win in our community.

Motion:

On the motion of Tim Emert, seconded by Louis Ysusi the Commission adopted Resolution No. 2022-16 supporting a Transportation Alternatives Program Application and Maintenance Commitment.

Aye: Tim Emert, Dean Hayse, Louis Ysusi

Nay: None

- G. Consider adopting an ordinance defining an Upper Story Dwelling, and an ordinance establishing a moratorium against the enforcement of a portion of the zoning code.**

At your last regular Commission meeting, you approved adopting an ordinance establishing a moratorium to obtain a conditional use permit for Upper Story Dwellings on the 2nd-floor story and above in the C-3, Central Business District for a period of 24 months from the adoption of the ordinance. At the time of the meeting, the City Attorney had not yet had an opportunity to prepare the ordinance. In further review by the City Attorney, it was determined that an Upper Story Dwelling needed to be defined in a separate ordinance from the moratorium. Both ordinances have been prepared and are attached.

Motion:

On the motion of Dean Hayse, seconded by Tim Emert the Commission adopted ordinance #4388 a City ordinance for upper story definition defining the Upper Story Dwelling.

Aye: Tim Emert, Dean Hayse, Louis Ysusi

Nay: None

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Motion:

On the motion of Dean Hayse, seconded by Tim Emert the Commission adopted ordinance #4389 establishing a moratorium against the enforcement of a portion of the zoning code.

Aye: Tim Emert, Dean Hayse, Louis Ysusi

Nay: None

V. REPORTS

A. Reminder of May 18, 2022 Special Commission Meeting.

Director Lies reminded the Commission of the upcoming meeting on Wednesday May 18, 2022 at 9:00 a.m.

VI. CITY MANAGER'S COMMENTS

City Manager Passauer reminded the Commission of the upcoming Health Fair on June 7, 2022 at 7 a.m.

VII. COMMISSIONERS' COMMENTS

None

VIII. PUBLIC CONCERNS

None

IX. ADJOURNMENT

Motion:

On the motion of Dean Hayse, seconded by Tim Emert the Commission adjourned.

Aye: Tim Emert, Dean Hayse, Louis Ysusi

Nay: None

Minutes of the City Commission's May 12, 2022 Meeting

Dean A. Hayse, Mayor

Louis Ysusi, Commissioner

Tim Emert, Commissioner

Attest:

City Clerk/Treasurer

Minutes of the City Commission's May 18, 2022 Meeting

I. SPECIAL SESSION

Commissioners Present: Mayor Dean Hayse, Vice-Mayor Tim Emert, Commissioner Louis Ysusi

City Staff Present: David Cowan, Assistant City Manager; Kelly Passauer, City Manager; David Schwenker, City Clerk/City Treasurer; Shawn Wallis, Fire/EMS Chief; Brian McHugh, Memorial Hall Supervisor; Lacey Lies, Director of Finance and Jerry Harrison, Police Chief.

Visitors Present: Larry McHugh

A. Call to Order

Mayor Hayse called the meeting to order.

II. ITEMS FOR DISCUSSION

A. Budget worksession.

Director Lies presented the payroll budget.

III. ITEMS FOR COMMISSION ACTION

A. Consider authorizing city staff to apply for a COPS Hiring grant.

IPD is authorized enough personnel to staff three officers per shift when fully staffed. Due to sick leave, vacation, court, and training, we usually only field two officers per shift. Due to call volume and criminal activity, we need additional personnel to allow for crime preventive efforts and improving our partnership with the community. IPD is proposing a a community oriented policing program in which IPD partners with code enforcement to determine where police are most needed to prevent crime in our community. This grant will allow personnel to have the discretionary time needed to be more proactive in preventing crime. The grant requires the city to pay 25% of the actual cost per officer, including fringe. The grant will pay the other 75% of actual cost for the first three years and then the city will be required to budget the full cost of each grant funded position for a fourth year. The cost estimate displayed in the attachment assumes a 2% cost of living increase annually.

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Motion:

On the motion of Tim Emert, seconded by Louis Ysusi the Commission authorized the Independence Police Department to apply for a COPS Hiring Grant for two officers.

Aye: Tim Emert, Dean Hayse, Louis Ysusi

Nay: None

IV. ADJOURNMENT

Motion:

On the motion of Dean Hayse, seconded by Tim Emert the Commission adjourned.

Aye: Tim Emert, Dean Hayse, Louis Ysusi

Nay: None

Dean A. Hayse, Mayor

Louis Ysusi, Commissioner

Tim Emert, Commissioner

Attest:

City Clerk/Treasurer

Minutes of the City Commission's May 26, 2022 Meeting

I. REGULAR SESSION

Commissioners Present: Mayor Dean Hayse, Vice-Mayor Tim Emert, Commissioner Louis Ysusi

City Staff Present: Jeff Chubb, City Attorney; David Cowan, Assistant City Manager; Kelly Passauer, City Manager; David Schwenker, City Clerk/City Treasurer; Shawn Wallis, Fire/EMS Chief; Jerry Harrison, Chief of Police; April Nutt, Director of Housing Authority and John Garris, City Engineer/Director of Public Works and Utilities.

Visitors Present: Larry McHugh, Brea Sanford and Ned Stichman.

A. Call to Order

Mayor Hayse called the meeting to order.

B. Pledge of Allegiance to the United States of America

C. Adoption of Agenda

Motion:

On the motion of Tim Emert, seconded by Louis Ysusi the Commission adopted the agenda.

Aye: Tim Emert, Dean Hayse, Louis Ysusi

Nay: None

II. APPOINTMENTS

A. IHPRC -- Received one application for two positions -- Applications have been extended to June 3, 2022

B. Tree Board -- Two Positions -- Applications due by noon on June 3, 2022.

C. Park Board -- One Inside City Position -- Applications due by noon on June 17, 2022.

D. Recreation Commission -- One Position -- Applications due by noon on June 17, 2022.

III. CONSENT AGENDA

Motion:

On the motion of Louis Ysusi, seconded by Tim Emert the Commission adopted the consent agenda.

Aye: Tim Emert, Dean Hayse, Louis Ysusi

Nay: None

- A. Consider approving City Commission minutes from March 10 and 24, 2022.

Suggested Motion:

I move to approve City Commission minutes from March 10 and 24, 2022.

- B. Consider adopting a resolution establishing a Street Lighting Policy.

The existing street lighting policy (attached) was written in 1979. A suggested revision is also attached. Changes to the policy include:

- **addition of a background and purpose to describe the policy,**
- **provision for lighting to be installed based on security needs,**
- **minor changes in locations that provide greater specificity as to where lights would normally be installed, and**
- **provides an explicit procedure for approval of standard and non-standard lighting locations.**

Suggested Motion:

I move to approve the resolution adopting the revised street lighting policy as attached.

- C. Consider revising the Capital Improvement Plan for submittal to the Federal Aviation Administration.

Annually, the City works with Lochner to prepare and provide a Capital Improvement Plan (CIP) for the Federal Aviation Administration (FAA).

During the review, the FAA noted that executing the planned pavement rehabilitation work as a single project instead of splitting it up into separate projects would minimize the impact on airport users, save on mobilization costs, and save on traffic control costs. Outside of the potential for project

cost escalation, there are no incremental additional costs that would be required to make this change.

This would push the 2023 construction into 2024, and at this point there is no projected deterioration that would require the earlier work. The total cost projected would be unchanged at \$700,000, of which the City share would be \$70,000, most likely between 10/1/2023 and 10/1/2024.

Suggested Motion:

I move to amend the Capital Improvement Plan for submittal to the Federal Aviation Administration.

IV. PUBLIC HEARING

- A. Public Hearing to consider condemnation of 317 S. 2nd Street as dangerous and unsafe.

The structure at 317 S. 2nd was involved in a fire on October 14, 2021 that extended into the attic space and did substantial damage to the roof structure. The owner has been in contact with the building department and is attempting to put the needed finances in order to make repairs. City Staff recommends adjourning until 5:30 PM on July 28, 2022.

Motion:

On the motion of Dean Hayse, seconded by Tim Emert the Commission adjourned the Public Hearing for 317 S. 2nd Street until July 28, 2022 at 5:30 p.m.

Aye: Tim Emert, Dean Hayse, Louis Ysusi

Nay: None

V. ITEMS FOR COMMISSION ACTION

- A. Consider setting the date for a Public Hearing to consider the condemnation of 1109 W. Myrtle Street as dangerous and unsafe.

City Staff received a complaint about the residence at 1109 W. Myrtle. On May 12, 2022, City staff did an inspection of the property and found the property is in disrepair with open or broken windows, overgrown vegetation and trees, and has been abandoned and without utilities since 2018. The building department has sent the attached letter to the owner and will report any updates at the meeting. City staff recommends setting the date of

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August 11, 2022 at 5:30 p.m. for a Public Hearing to consider the condemnation of 1109 W. Myrtle as dangerous and unsafe.

Motion:

On the motion of Louis Ysusi, seconded by Tim Emert the Commission moved to set the date of August 11, 2022, at 5:30 p.m. for a Public Hearing to consider the condemnation of 1109 W. Myrtle Street as dangerous and unsafe.

Aye: Tim Emert, Dean Hayse, Louis Ysusi

Nay: None

- B. Consider setting the date for a Public Hearing to consider the condemnation of 515 S. 10th Street as dangerous and unsafe.**

The City of Independence was contacted about the residence at 515 S. 10th and the condition of the structure. The City conducted an outside inspection on May 12, 2022 and found the property to be in violation of the City Code. The property is in disrepair with open or broken windows, overgrown vegetation and trees, and has been abandoned and without utilities since 2013. The building department has sent the attached letter to the owner and will report any updates at the meeting. City staff recommends setting the date of August 11, 2022 at 5:30 PM for a Public Hearing to consider the condemnation of 515 S. 10th Street as dangerous and unsafe.

Motion:

On the motion of Tim Emert, seconded by Louis Ysusi the Commission moved to set the date of August 11, 2022, at 5:30 p.m. for a Public Hearing to consider the condemnation of 515 S. 10th Street as dangerous and unsafe.

Aye: Tim Emert, Dean Hayse, Louis Ysusi

Nay: None

- C. Consider setting the date for a Public Hearing to consider condemnation of 1117 W. Laurel Street as dangerous and unsafe.**

City staff received a complaint about the structure at 1117 W. Laurel. On May 12, 2022, City staff did an inspection of the property and found the property is in disrepair with open or broken windows, overgrown vegetation, and trees, and has been abandoned and without utilities since 2016. The building department has sent the attached letter to the owner and will report any updates at the meeting. City staff recommends setting the date of August 11, 2022, at 5:30 p.m. for a Public Hearing to consider the condemnation of 1117

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W. Laurel as dangerous and unsafe.

Motion:

On the motion of Louis Ysusi, seconded by Tim Emert the Commission moved to set the date of August 11, 2022, at 5:30 p.m. for a Public Hearing to consider the condemnation 1117 W. Laurel as dangerous and unsafe .

Aye: Tim Emert, Dean Hayse, Louis Ysusi

Nay: None

- D. Consider setting the date for a Public Hearing to consider condemnation of 1105 W. Myrtle Street as dangerous and unsafe.

The City of Independence received a complaint about the condition of a structure at 1105 W. Myrtle Street. On May 12, 2022, City staff did an inspection of the property and found the property is in disrepair with open or broken windows, overgrown vegetation, and trees, and has been abandoned and without utilities since 2009. The building department has sent the attached letter to the owner and will report any updates at the meeting. City staff recommends setting the date of August 11, 2022 at 5:30 p.m. for a Public Hearing to consider the condemnation of 1105 W. Myrtle.

Motion:

On the motion of Tim Emert, seconded by Louis Ysusi the Commission moved to set the date of August 11, 2022, at 5:30 p.m. for a Public Hearing to consider the condemnation of 1105 W. Myrtle as dangerous and unsafe.

Aye: Tim Emert, Dean Hayse, Louis Ysusi

Nay: None

- E. Consider setting the date for a Public Hearing to consider condemnation of 712 S. 6th as dangerous and unsafe.

On Friday, May 20, 2022, the structure located at 712 S 6th was involved in a fire that destroyed the house and made it inhabitable. The building department has sent the owner the attached letter to determine insurance and plans for demolition. If the owner releases the structure for removal, City Staff will work to obtain quotes and remove the structure. If the owner does not respond, the City Staff would request a Public Hearing on August 11, 2022, at 5:30 p.m. to consider condemnation of 712 S 6th as dangerous and unsafe.

Motion:

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On the motion of Louis Ysusi, seconded by Tim Emert the Commission moved to set the date of August 11, 2022, at 5:30 p.m. for a Public Hearing to consider the condemnation of 712 S. 6th Street as dangerous and unsafe.

Aye: Tim Emert, Dean Hayse, Louis Ysusi

Nay: None

- F. Consider awarding the CDBG portion of the 2022 sewer improvement projects to Tri Star Utilities.

On April 19, a single bid was received for the CDBG portion of the 2022 sewer improvement projects, which includes the replacement lift station near the Country Club area. This bid was considered to be responsive, and was within 8% of the most recent engineer's estimate for the work.

The bid has been evaluated and recommended for award in the amount of \$1,728,831.80.

Motion:

On the motion of Tim Emert, seconded by Louis Ysusi the Commission awarded the CDBG-funded portion of the 2022 sewer improvement projects at a cost of \$1,728,831.80 and allowed execution of all required documents for this award and for project funding.

Aye: Tim Emert, Dean Hayse, Louis Ysusi

Nay: None

- G. Consider adopting Resolution 2022-023 setting a public hearing to establish Rural Housing Incentive Districts (RHIDs).

A Housing Needs Analysis has been conducted and the governing body has determined the following:

1. There is a shortage of quality housing of various price ranges in the City despite the best efforts of public and private housing developers.
2. The shortage of quality housing can be expected to persist and additional financial incentives are necessary in order to encourage the private sector to construct or renovate housing in the City.
3. The shortage of quality housing is a substantial deterrent to the future economic growth and development of the City.

4. The future economic well-being of the City depends on the Governing Body providing additional incentives for the construction or renovation of quality housing in the City.

The City of Independence approved Resolution 2022-004 for submission to the Kansas Secretary of Commerce along with the approved Housing Needs Analysis, taking the first step in establishing Rural Housing Incentive Districts for the City of Independence.

The Kansas Secretary of Commerce agreed with the findings of the City of Independence, Kansas's Housing Needs Analysis and Resolution 2022-004 in a letter dated March 22, 2022.

The next step in establishing Independence's RHIDs is approving Resolution 2022-023 setting a date and time for a public hearing to consider establishing one or more Rural Housing Incentive Districts (RHIDs).

Establishing Rural Housing Incentive Districts will aid the City of Independence in building housing within the community. The Independence Housing Authority has been working to establish several Rural Housing Incentive Districts for the purpose of developing housing within the City of Independence, Kansas.

Motion:

On the motion of Louis Ysusi, seconded by Tim Emert the Commission adopted Resolution 2022-023 setting the date of July 14, 2022 at 5:30 PM for a public hearing to consider establishing one or more Rural Housing Incentive Districts.

Aye: Tim Emert, Dean Hayse, Louis Ysusi

Nay: None

- H. Consider authorizing a contract with Reece Nichols to market 811 W. Laurel Street.

The City of Independence did a request for proposals to market Building "D" at 811 W. Laurel Street. The City of Independence received a proposal from Reece Nichols of Wichita, Kansas. Reece Nichols provided the City with information on their qualifications, marketing strategy and pricing. The City staff has met with Tim and Ryan Kerr and was able to provide a tour of the building and grounds that would be marketed. It was the recommendation of City Staff to enter into an agreement with them to market the building. The City Attorney has reviewed the agreement.

Minutes of the City Commission's May 26, 2022 Meeting

Motion:

On the motion of Tim Emert, seconded by Louis Ysusi the Commission authorized the Mayor to sign a contract with Reece Nichols to market 811 W. Laurel Street subject to the City Attorney's review.

Aye: Tim Emert, Dean Hayse, Louis Ysusi

Nay: None

VI. ITEMS FOR DISCUSSION

- A. Discuss the process for handling change orders related to the Fire/EMS and 1916 City Hall projects.

At the May 12, 2022 meeting there was a discussion on how to handle change orders regarding the Fire/EMS and 1916 City Hall Projects. Typically, change orders have been placed on the agenda.

Per the Section 6 of the procurement policy change orders are to be handled as follows:

6.1 General

All change orders for approved projects will come before the Governing Body for approval.

6.2 Emergency Situations

In certain limited emergency situations or due to the state of construction in progress, to prevent a lengthy delay in a project, safety concerns, and the protection of City assets and resources, the City Manager, with notification to the Governing Body, can authorize a change order in an amount not to exceed \$25,000, but not in excess of the overall project budget, whichever is less. After authorizing the change order, the change order is prepared and submitted to the Governing Body for ratification. These change orders may involve such issues as cost changes and extensions of time.

6.3 Exception

Notwithstanding the above, any change order resulting in a decrease of any amount related to any construction, reconstruction, of a project for the City may be approved by the City Manager without further action by the Governing Body.

Unless directed differently by the majority of the Commission, staff will be

Minutes of the City Commission's May 26, 2022 Meeting

processing change orders per the attached procurement policy.

VII. REPORTS

A. Capital Projects Report.

Engineer Garris presented the report.

B. Sales Tax Reports for March, April and May.

VIII. CITY MANAGER'S COMMENTS

City Manager Passauer informed the Commission about the employee Health Fair on June 7 and invited the Commissioners to attend.

City Manager Passauer reminded everyone that City Hall would be closed on Memorial Day and trash services would be moved back a day.

IX. COMMISSIONERS' COMMENTS

Commissioner Emert commended City Manager Passauer for posting weekly progress reports on the Fire/EMS construction..

Commissioner Ysusi believed that the demolition hearings held today would clean up the neighborhood in that area.

X. PUBLIC CONCERNS

None

XI. ADJOURNMENT

Motion:

On the motion of Dean Hayse, seconded by Louis Ysusi the Commission adjourn the meeting.

Aye: Tim Emert, Dean Hayse, Louis Ysusi

Nay: None

Minutes of the City Commission's May 26, 2022 Meeting

Dean A. Hayse, Mayor

Louis Ysusi, Commissioner

Tim Emert, Commissioner

Attest:

City Clerk/Treasurer



**REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
July 14, 2022**

Department Public Works & Utilities

Director Approval John Garris

AGENDA ITEM Consider approving the installation of a new light near 302 North 1st Street, and increasing the lighting intensity at the intersection of Freedom Drive and Russ Meyer Boulevard.

SUMMARY RECOMMENDATION Approve Modification

BACKGROUND There have been two requests related to streetlights. The first is the addition of a streetlight near the address of 302 N. 1st Street. This location follows policy and is supported by the Chief of Police as well for public safety. The cost would be \$7.83 per month for this light. Additionally, a light at the intersection of Freedom Drive and Russ Meyer Boulevard has been recommended by local workers to be increased in output for traffic safety. This would increase costs from the current Class A light charge (\$7.83 per month) to a Class B light charge (\$13.06 per month), an increase of \$5.23 at this location.

FINANCIAL INFORMATION Approval would increase the street light charges by approximately \$13.06 per month or \$156.72 annually.

SUGGESTED MOTION I move to approve new light near 302 N. 1st Street and the increase in lighting strength at the intersection of Freedom Drive and Russ Meyer Boulevard.

SUPPORTING DOCUMENTS



**REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
July 14, 2022**

Department Housing

Director Approval CYNTHIA NUTT

AGENDA ITEM Consider adopting a Resolution setting a public hearing to establish Rural Housing Incentive Districts (RHIDs).

SUMMARY RECOMMENDATION Consider adopting a resolution setting a Public Hearing for July 28, 2022 at 5:30 PM to consider establishing an RHID for Jefferson Subdivision Development District, South Rainbow Subdivision Development District, Horizon Estates Subdivision Development District, and Downtown Central Business Development District.

BACKGROUND A Housing Needs Analysis has been conducted and the governing body has determined the following:

1. There is a shortage of quality housing of various price ranges in the City despite the best efforts of public and private housing developers.
2. The shortage of quality housing can be expected to persist and additional financial incentives are necessary in order to encourage the private sector to construct or renovate housing in the City.
3. The shortage of quality housing is a substantial deterrent to the future economic growth and development of the City.
4. The future economic well-being of the City depends on the Governing Body providing additional incentives for the construction or renovation of quality housing in the City.

The City of Independence approved Resolution 2022-004 for submission to the Kansas Secretary of Commerce along with the approved Housing Needs Analysis, taking the first step in establishing Rural Housing Incentive Districts for the City of Independence.

The Kansas Secretary of Commerce agreed with the findings of the City of Independence, Kansas's Housing Needs Analysis and Resolution 2022-004 in a letter dated March 22, 2022.

The next step in establishing Independence's RHIDs is approving Resolution 2022-023 setting a date and time for a public hearing to consider establishing one or more Rural Housing Incentive Districts (RHIDs).

Establishing Rural Housing Incentive Districts will aid the City of Independence in building housing within the community. The Independence Housing Authority has been working to establish several Rural Housing Incentive Districts for the purpose of developing housing within the City of Independence, Kansas.

This item was on your May 26, 2022 agenda. However, due to not meeting the publication requirements we are having to reschedule this hearing and adopt a new resolution.

FINANCIAL INFORMATION There is no anticipated financial impact.

SUGGESTED MOTION I move to adopt a resolution setting the date of July 28, 2022 at 5:30 PM for a public hearing to consider establishing one or more Rural Housing Incentive Districts.

SUPPORTING DOCUMENTS

1. Resolution 2022-
2. Resolution 2022-033 - RHID Public Hearing

RESOLUTION NO. 2022-____

A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF
INDEPENDENCE, KANSAS, SETTING A DATE AND TIME FOR A PUBLIC
HEARING AT WHICH THE GOVERNING BODY WILL CONSIDER
ESTABLISHING ONE OR MORE RURAL HOUSING INCENTIVE DISTRICTS

Whereas, on February 24, 2022, the governing body adopted Resolution No. 2022-004 pursuant to K.S.A. 12-5241, et seq., in which certain required findings were made in order to pursue the creation of multiple Rural Housing Incentive Districts.

And Whereas, Resolution No. 2022-004 was published in the official city newspaper according to law.

And Whereas, a certified copy of Resolution No. 2022-004 was sent to the Secretary of Commerce for the State of Kansas for review and approval.

And Whereas, the Secretary of Commerce has advised the governing body in writing that it agrees with and approves the findings made by the governing body in Resolution No. 2022-004.

NOW THEREFORE, BE IT RESOLVED by the governing body of the City of Independence, Kansas:

Section 1. The governing body is considering taking action to adopt plans for development or redevelopment of housing and public facilities in certain proposed Rural Housing Incentive Districts.

Section 2. A public hearing will be held at the following date, time and location at which time the governing body will consider the adoption of the plans for development or redevelopment of housing and public facilities in the proposed Rural Housing Incentive Districts:

Date:	July 28, 2022
Time:	5:30 p.m.
Location:	Civic Center located in the basement of Memorial Hall, Southeast corner of intersection of Chestnut and North Pennsylvania Ave.

Section 3. The governing body will consider establishing the Jefferson Subdivision District as a Rural Housing Incentive District. The details of the Jefferson Subdivision District are attached hereto and incorporated herein by reference as Exhibit “A”.

Section 4. The governing body will consider establishing the Horizon Estates Subdivision District as a Rural Housing Incentive District. The details of the Horizon Estates Subdivision District are attached hereto and incorporated herein by reference as Exhibit “B”.

Section 5. The governing body will consider establishing the South Rainbow Subdivision District as a Rural Housing Incentive District. The details of the South Rainbow Subdivision District are attached hereto and incorporated herein by reference as Exhibit “C”.

Section 6. The proposed plan for development or redevelopment of housing and public facilities for the three proposed districts are available for inspection at the office of the City Clerk, 811 West Laurel, Independence, Kansas.

Section 7. Members of the public are invited to review the proposed plans and attend the public hearing on the date and time stated above.

Section 8. This Resolution shall be published at least once in the official newspaper of the city not less than one week, nor more than two weeks, prior to the public hearing date.

ADOPTED by the governing body of the City of Independence, Kansas, on the 14th day of July, 2022.

Dean A. Hayse, Mayor

ATTEST:

David W. Schwenker, City Clerk

Exhibit "A"

Development Plan

Jefferson Subdivision

Development District

0000 North 13th Street

(between Mulberry & Spruce)

City of Independence, Kansas

Housing Authority - Project

Developer



1. Legal Description and Map (Exhibit A)

Legal Description:

HIGHLAND PARK ADD, S24, T32, R15, ACRES 7. 36, COM POB NW COR
 LOT 4 E 297. 58' S 624. 11' W 595. 84' N 442. 78' E 265. 04' NWLY 67. 41' N
 121. 71' TO POB; LESS RW (commonly known as 0000 N 13TH ST, Independence,
 KS 67301)

2. Assessed Valuation for Tax Year 2022 was \$8,620.00

2022 Appraised Value

Class	Land	Building	Total
Vacant Lots - V	8,620	0	8,620
Total	8,620	0	8,620

3. Primary Owner:

City of Independence, Kansas/Independence Housing Authority
811 West Laurel
Independence, KS 67301

4. Development of a new 20 lot subdivision for the development of single-family homes with a target market price of \$200,000 to \$250,000. ("Target Market Price" reflects slab on grade 3 Bedroom/2 Bathroom home of roughly 1,450 to 1,700 square feet livable space.
5. Names and addresses of developer City of Independence, Kansas Housing Authority, 811 West Laurel, Independence, Kansas, 67301.
6. Contractual Assurances of the Developer – Developers intend to utilize the RHID tool to reimburse the cost of construction of development infrastructure estimated to be approximately \$1 Million in total cost. Financing for the project will be negotiated with City input on best responsible strategy for City of Independence, Kansas Taxpayers.

7. Comprehensive Feasibility Analysis

Exhibit A shows an RHID Revenue project based on a 6-year neighborhood build out schedule.

8. The City of Independence, Kansas Housing Study completed in December 2021 indicated a critical need for available lots for housing development to help ease the strain on our current housing market. While this development won't solve our current housing shortage it will create an opportunity for new homes to be added to our inventory and can be combined with additional efforts to explore infill development, upper-story development and additional single-family projects both detached and attached. There is a critical need for housing for our local workforce and community and this project hopes to help fill this need.

\$225,000 avg. sale price per home													
RHID-Jefferson Subdivision (5 yr build-out/225k)													
COMPREHENSIVE FINANCIAL FEASIBILITY ANALYSIS													
Unimproved Tax Calculation						Value	Assessment Rate	Assessed Value	Mill Levy	Base Year Tax	Years in Program	Total Base Year Tax	
Parcel #630862404002003000 (tax yr. 2022 est. value for land only)						8,620	0.115	991.30	0.204335	202.56	13	2,633.24	
Home Value	New Homes Built	No. of Homes Taxed	County Appraised Value	Assessment Rate	Assessed Value	Mill Levy	Gross Tax Increase	School Tax Exemp.	State Exemption 21.5 mills	Annual New Tax Generated	Accumulated New Taxes Generated	Program Year	Year of Tax Statement
		0	-	0.115	-	0.204335					-	1	2022
225,000	5	5	1,125,000	0.115	129,375	0.204335	26,435.84	230	2,781.56	23,424.28	23,424.28	2	2023
225,000	5	10	2,250,000	0.115	258,750	0.204335	52,871.68	460	5,563.13	46,848.56	70,272.83	3	2024
225,000	5	15	3,375,000	0.115	388,125	0.204335	79,307.52	690	8,344.69	70,272.83	140,545.67	4	2025
225,000	5	20	4,500,000	0.115	517,500	0.204335	105,743.36	920	11,126.25	93,697.11	234,242.78	5	2026
225,000		20	4,500,000	0.115	517,500	0.204335	105,743.36	920	11,126.25	93,697.11	327,939.89	6	2027
225,000		20	4,500,000	0.115	517,500	0.204335	105,743.36	920	11,126.25	93,697.11	421,637.01	7	2028
225,000		20	4,500,000	0.115	517,500	0.204335	105,743.36	920	11,126.25	93,697.11	515,334.12	8	2029
225,000		20	4,500,000	0.115	517,500	0.204335	105,743.36	920	11,126.25	93,697.11	609,031.23	9	2030
225,000		20	4,500,000	0.115	517,500	0.204335	105,743.36	920	11,126.25	93,697.11	702,728.34	10	2031
225,000		20	4,500,000	0.115	517,500	0.204335	105,743.36	920	11,126.25	93,697.11	796,425.46	11	2032
225,000		20	4,500,000	0.115	517,500	0.204335	105,743.36	920	11,126.25	93,697.11	890,122.57	12	2033
225,000		20	4,500,000	0.115	517,500	0.204335	105,743.36	920	11,126.25	93,697.11	983,819.68	13	2034
225,000		20	4,500,000	0.115	517,500	0.204335	105,743.36	920	11,126.25	93,697.11	1,077,516.79	14	2035
225,000		20	4,500,000	0.115	517,500	0.204335	105,743.36	920	11,126.25	93,697.11	1,171,213.91	15	2036
225,000		20	4,500,000	0.115	517,500	0.204335	105,743.36	920	11,126.25	93,697.11	1,264,911.02	16	2037
225,000		20	4,500,000	0.115	517,500	0.204335	105,743.36	920	11,126.25	93,697.11	1,358,608.13	17	2038
225,000		20	4,500,000	0.115	517,500	0.204335	105,743.36	920	11,126.25	93,697.11	1,452,305.24	18	2039
225,000		20	4,500,000	0.115	517,500	0.204335	105,743.36	920	11,126.25	93,697.11	1,546,002.36	19	2040
225,000		20	4,500,000	0.115	517,500	0.204335	105,743.36	920	11,126.25	93,697.11	1,639,699.47	20	2041
Total	20												
Estimated Eligible Infrastructure Costs						\$ 961,000							
Total Construction Project Period						5 years							
Payback Period from 1st year of construction						13 years							

Exhibit "B"

Development Plan

Horizon Estate Subdivision
Development District
0000 Majestic Drive
(between Rainbow Drive &
Taylor Road)

3P Development- Project
Developer



9. Legal Description and Map

Legal Description:

HORIZON ESTATES, S24, T32, R15, BLOCK D, Lot 1 - 3 & 6-20, ACRES 5.74 (commonly known as 00000 MAJESTIC DR, Independence, KS 67301)

HORIZON ESTATES, S24, T32, R15, BLOCK F, ACRES 5.2, LTS 1-9; 14-22 (commonly known as 00000 MAJESTIC DR, Independence, KS 67301)

HORIZON ESTATES, S24, T32, R15, BLOCK H, Lot 1 - 25, ACRES 7.67 (commonly known as 00000 MAJESTIC DR, Independence, KS 67301)

HORIZON ESTATES, S24, T32, R15, BLOCK G, Lot 22 - 28, ACRES 1.98 (commonly known as 00000 MAJESTIC DR, Independence, KS 67301)

10. Assessed Valuation for Tax Year 2022 was \$2,250.00

2022 Appraised Value

Class	Land	Building	Total
Agricultural Use - A	840	0	840
Total	840	0	840

Class	Land	Building	Total
Agricultural Use - A	210	0	210
Total	210	0	210

Class	Land	Building	Total
Agricultural Use - A	570	0	570
Total	570	0	570

Class	Land	Building	Total
Agricultural Use - A	630	0	630
Total	630	0	630

11.Primary Owner:

Shawn and Lori Schabel
3588 CR 4675
Independence, KS 67301

12.Development of a new subdivision for the development of single-family homes with a target market price of \$250,000. (“Target Market Price” reflects 3 Bedroom/2 Bathroom home of roughly 1450 to 1700 square feet livable space and multi-family duplexes with a target development cost of \$450,000. (“Target Development Cost” reflects 3 Bedroom/2 Bathroom duplex of roughly 1400 to 1700 square feet livable space.

13.Names and addresses of developer **3P Development**

14.Contractual Assurances of the Developer – Developers intend to utilize the RHID tool to reimburse the cost of construction of sewer line installation for 9 lots estimated to be approximately \$2,500,000 in total cost. Financing for the project will be negotiated with City input on best responsible strategy for City of Independence, Kansas Taxpayers.

15.Comprehensive Feasibility Analysis

Exhibit A shows an RHID Revenue project based on a 6-year neighborhood build out schedule.

- 16.The City of Independence, Kansas Housing Study completed in December 2021 indicated a critical need for available lots for housing development to help ease the strain on our current housing market. While this development won't solve our current housing shortage it will create an opportunity for new homes to be added to our inventory and can be combined with additional efforts to explore infill development, upper-story development and additional single-family projects both detached and attached. There is a critical need for housing for our local workforce and community and this project hopes to help fill this need.

\$450,000 avg. sale price per duplex													
\$250,000 avg. sale price per home													
RHID-Horizon Estates Subdivision (5 yr build-out/225k)													
COMPREHENSIVE FINANCIAL FEASIBILITY ANALYSIS													
Unimproved Tax Calculation						Value	Assessment Rate	Assessed Value	Mill Levy	Base Year Tax	Years in Program	Total Base Year Tax	
Parcel #063-086-24-0-20-01-002.00-0 (tax yr. 2022 est. value for land only)						2,250	0.115	258.75	0.204335	52.87	12	634.46	
Parcel #063-086-24-0-20-01-027.00-0													
063-086-24-0-20-02-001.00-0													
063-086-24-0-20-03-001.00-0													
Home Value	New Homes Built	No. of Homes Taxed	County Appraised Value	Assessment Rate	Assessed Value	Mill Levy	Gross Tax Increase	School Tax Exempt.	State Exemption 21.5 mills	Annual New Tax Generated	Accumulated New Taxes Generated	Program Year	Year of Tax Statement
		0	-	0.115	-	0.204335					-	1	2022
450,000	10	10	4,500,000	0.115	517,500	0.204335	105,743.36	460	11,126.25	94,157.11	94,157.11	2	2023
250,000	5	15	3,750,000	0.115	431,250	0.204335	88,119.47	690	9,271.88	78,157.59	172,314.71	3	2024
450,000	10	25	11,250,000	0.115	1,293,750	0.204335	264,358.41	1,150	27,815.63	235,392.78	407,707.49	4	2025
250,000	5	30	7,500,000	0.115	862,500	0.204335	176,238.94	1,380	18,543.75	156,315.19	564,022.68	5	2026
450,000		30	13,500,000	0.115	1,552,500	0.204335	317,230.09	1,380	33,378.75	282,471.34	846,494.01	6	2027
450,000		30	13,500,000	0.115	1,552,500	0.204335	317,230.09	1,380	33,378.75	282,471.34	1,128,965.35	7	2028
450,000		30	13,500,000	0.115	1,552,500	0.204335	317,230.09	1,380	33,378.75	282,471.34	1,411,436.69	8	2029
450,000		30	13,500,000	0.115	1,552,500	0.204335	317,230.09	1,380	33,378.75	282,471.34	1,693,908.03	9	2030
450,000		30	13,500,000	0.115	1,552,500	0.204335	317,230.09	1,380	33,378.75	282,471.34	1,976,379.36	10	2031
450,000		30	13,500,000	0.115	1,552,500	0.204335	317,230.09	1,380	33,378.75	282,471.34	2,258,850.70	11	2032
450,000		30	13,500,000	0.115	1,552,500	0.204335	317,230.09	1,380	33,378.75	282,471.34	2,541,322.04	12	2033
450,000		30	13,500,000	0.115	1,552,500	0.204335	317,230.09	1,380	33,378.75	282,471.34	2,823,793.38	13	2034
450,000		30	13,500,000	0.115	1,552,500	0.204335	317,230.09	1,380	33,378.75	282,471.34	3,106,264.71	14	2035
450,000		30	13,500,000	0.115	1,552,500	0.204335	317,230.09	1,380	33,378.75	282,471.34	3,388,736.05	15	2036
450,000		30	13,500,000	0.115	1,552,500	0.204335	317,230.09	1,380	33,378.75	282,471.34	3,671,207.39	16	2037
450,000		30	13,500,000	0.115	1,552,500	0.204335	317,230.09	1,380	33,378.75	282,471.34	3,953,678.73	17	2038
450,000		30	13,500,000	0.115	1,552,500	0.204335	317,230.09	1,380	33,378.75	282,471.34	4,236,150.06	18	2039
450,000		30	13,500,000	0.115	1,552,500	0.204335	317,230.09	1,380	33,378.75	282,471.34	4,518,621.40	19	2040
450,000		30	13,500,000	0.115	1,552,500	0.204335	317,230.09	1,380	33,378.75	282,471.34	4,801,092.74	20	2041
Total	30												
Estimated Eligible Infrastructure Costs						\$ 2,500,000							
Total Construction Project Period						5 years							
Payback Period from 1st year of construction						12 years							

Exhibit "C"

Development Plan

South Rainbow Subdivision
Development District

0000 Rainbow Drive

(between CR 3700 & Regency
Drive)

TL Carroll Enterprises LLC- Project
Developer



17. Legal Description and Map

Legal Description:

HORIZON ESTATES, S13, T32, R15, BLOCK D, Lot 21 - 29, 129001 SQUARE FEET, Lot Width: 966.5 Lot Depth: 112.5 IRR (commonly known as 00000 RAINBOW DR, Independence, KS 67301)

18. Assessed Valuation for Tax Year 2022 was \$13,100.00

2022 Appraised Value

Class	Land	Building	Total
Vacant Lots - V	13,100	0	13,100
Total	13,100	0	13,100

19. Primary Owner:

TL Carroll Enterprises LLC
 24043 North 4040 Road
 Nowata, Oklahoma 74048-5104

20. Development of 9 new lots for the development of single-family homes with a target market price of \$250,000 to \$350,000. ("Target Market Price" reflects 3 Bedroom/2 Bathroom home of roughly 1700 to 2000 square feet livable space.

21. Names and addresses of developer TL Carroll Enterprises LLC, 24043 North 4040 Road, Nowata, Oklahoma, 74048-5104.

22. Contractual Assurances of the Developer – Developers intend to utilize the RHID tool to reimburse the cost of construction of sewer line installation for 9 lots estimated to be approximately \$177,360 in total cost. Financing for the project will be negotiated with City input on best responsible strategy for City of Independence, Kansas Taxpayers.

23. Comprehensive Feasibility Analysis

Exhibit A shows an RHID Revenue project based on a 6-year neighborhood build out schedule.

24. The City of Independence, Kansas Housing Study completed in December 2021 indicated a critical need for available lots for housing development to help ease the strain on our current housing market. While this development won't solve our current housing shortage it will create an opportunity for new homes to be added to our inventory and can be combined with additional efforts to explore infill development, upper-story development and additional single-family projects both detached and attached. There is a critical need for housing for our local workforce and community and this project hopes to help fill this need.

\$300,000 avg. sale price per home													
RHID-South Rainbow (10 yr build-out/225k)													
COMPREHENSIVE FINANCIAL FEASIBILITY ANALYSIS													

RESOLUTION NO. 2022-033

A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF INDEPENDENCE, KANSAS, SETTING A DATE AND TIME FOR A PUBLIC HEARING AT WHICH THE GOVERNING BODY WILL CONSIDER ESTABLISHING ONE OR MORE RURAL HOUSING INCENTIVE DISTRICTS

Whereas, on February 24, 2022, the governing body adopted Resolution No. 2022-004 pursuant to K.S.A. 12-5241, et seq., in which certain required findings were made in order to pursue the creation of multiple Rural Housing Incentive Districts.

And Whereas, Resolution No. 2022-004 was published in the official city newspaper according to law.

And Whereas, a certified copy of Resolution No. 2022-004 was sent to the Secretary of Commerce for the State of Kansas for review and approval.

And Whereas, the Secretary of Commerce has advised the governing body in writing that it agrees with and approves the findings made by the governing body in Resolution No. 2022-004.

NOW THEREFORE, BE IT RESOLVED by the governing body of the City of Independence, Kansas:

Section 1. The governing body is considering taking action to adopt plans for development or redevelopment of housing and public facilities in certain proposed Rural Housing Incentive Districts.

Section 2. A public hearing will be held at the following date, time and location at which time the governing body will consider the adoption of the plans for development or redevelopment of housing and public facilities in the proposed Rural Housing Incentive Districts:

Date:	July 28, 2022
Time:	5:30 p.m.
Location:	Civic Center located in the basement of Memorial Hall, Southeast corner of intersection of Chestnut and North Pennsylvania Ave.

Section 3. The governing body will consider establishing the Jefferson Subdivision District as a Rural Housing Incentive District. The details of the Jefferson Subdivision District are attached hereto and incorporated herein by reference as Exhibit “A”.

Section 4. The governing body will consider establishing the Horizon Estates Subdivision District as a Rural Housing Incentive District. The details of the Horizon Estates Subdivision District are attached hereto and incorporated herein by reference as Exhibit “B”.

Section 5. The governing body will consider establishing the South Rainbow Subdivision District as a Rural Housing Incentive District. The details of the South Rainbow Subdivision District are attached hereto and incorporated herein by reference as Exhibit “C”.

Section 6. The proposed plan for development or redevelopment of housing and public facilities for the three proposed districts are available for inspection at the office of the City Clerk, 811 West Laurel, Independence, Kansas.

Section 7. Members of the public are invited to review the proposed plans and attend the public hearing on the date and time stated above.

Section 8. This Resolution shall be published at least once in the official newspaper of the city not less than one week, nor more than two weeks, prior to the public hearing date.

ADOPTED by the governing body of the City of Independence, Kansas, on the 14th day of July, 2022.

Dean A. Hayse, Mayor

ATTEST:

David W. Schwenker, City Clerk

Exhibit "A"

Development Plan

Jefferson Subdivision

Development District

0000 North 13th Street

(between Mulberry & Spruce)

City of Independence, Kansas

Housing Authority - Project

Developer



1. Legal Description and Map (Exhibit A)

Legal Description:

HIGHLAND PARK ADD, S24, T32, R15, ACRES 7. 36, COM POB NW COR
 LOT 4 E 297. 58' S 624. 11' W 595. 84' N 442. 78' E 265. 04' NWLY 67. 41' N
 121. 71' TO POB; LESS RW (commonly known as 0000 N 13TH ST, Independence,
 KS 67301)

2. Assessed Valuation for Tax Year 2022 was \$8,620.00

2022 Appraised Value

Class	Land	Building	Total
Vacant Lots - V	8,620	0	8,620
Total	8,620	0	8,620

3. Primary Owner:

City of Independence, Kansas/Independence Housing Authority
811 West Laurel
Independence, KS 67301

4. Development of a new 20 lot subdivision for the development of single-family homes with a target market price of \$200,000 to \$250,000. ("Target Market Price" reflects slab on grade 3 Bedroom/2 Bathroom home of roughly 1,450 to 1,700 square feet livable space.
5. Names and addresses of developer City of Independence, Kansas Housing Authority, 811 West Laurel, Independence, Kansas, 67301.
6. Contractual Assurances of the Developer – Developers intend to utilize the RHID tool to reimburse the cost of construction of development infrastructure estimated to be approximately \$1 Million in total cost. Financing for the project will be negotiated with City input on best responsible strategy for City of Independence, Kansas Taxpayers.

7. Comprehensive Feasibility Analysis

Exhibit A shows an RHID Revenue project based on a 6-year neighborhood build out schedule.

8. The City of Independence, Kansas Housing Study completed in December 2021 indicated a critical need for available lots for housing development to help ease the strain on our current housing market. While this development won't solve our current housing shortage it will create an opportunity for new homes to be added to our inventory and can be combined with additional efforts to explore infill development, upper-story development and additional single-family projects both detached and attached. There is a critical need for housing for our local workforce and community and this project hopes to help fill this need.

\$225,000 avg. sale price per home													
RHID-Jefferson Subdivision (5 yr build-out/225k)													
COMPREHENSIVE FINANCIAL FEASIBILITY ANALYSIS													
Unimproved Tax Calculation						Value	Assessment Rate	Assessed Value	Mill Levy	Base Year Tax	Years in Program	Total Base Year Tax	
Parcel #630862404002003000 (tax yr. 2022 est. value for land only)						8,620	0.115	991.30	0.204335	202.56	13	2,633.24	
Home Value	New Homes Built	No. of Homes Taxed	County Appraised Value	Assessment Rate	Assessed Value	Mill Levy	Gross Tax Increase	School Tax Exemp.	State Exemption 21.5 mills	Annual New Tax Generated	Accumulated New Taxes Generated	Program Year	Year of Tax Statement
		0	-	0.115	-	0.204335					-	1	2022
225,000	5	5	1,125,000	0.115	129,375	0.204335	26,435.84	230	2,781.56	23,424.28	23,424.28	2	2023
225,000	5	10	2,250,000	0.115	258,750	0.204335	52,871.68	460	5,563.13	46,848.56	70,272.83	3	2024
225,000	5	15	3,375,000	0.115	388,125	0.204335	79,307.52	690	8,344.69	70,272.83	140,545.67	4	2025
225,000	5	20	4,500,000	0.115	517,500	0.204335	105,743.36	920	11,126.25	93,697.11	234,242.78	5	2026
225,000		20	4,500,000	0.115	517,500	0.204335	105,743.36	920	11,126.25	93,697.11	327,939.89	6	2027
225,000		20	4,500,000	0.115	517,500	0.204335	105,743.36	920	11,126.25	93,697.11	421,637.01	7	2028
225,000		20	4,500,000	0.115	517,500	0.204335	105,743.36	920	11,126.25	93,697.11	515,334.12	8	2029
225,000		20	4,500,000	0.115	517,500	0.204335	105,743.36	920	11,126.25	93,697.11	609,031.23	9	2030
225,000		20	4,500,000	0.115	517,500	0.204335	105,743.36	920	11,126.25	93,697.11	702,728.34	10	2031
225,000		20	4,500,000	0.115	517,500	0.204335	105,743.36	920	11,126.25	93,697.11	796,425.46	11	2032
225,000		20	4,500,000	0.115	517,500	0.204335	105,743.36	920	11,126.25	93,697.11	890,122.57	12	2033
225,000		20	4,500,000	0.115	517,500	0.204335	105,743.36	920	11,126.25	93,697.11	983,819.68	13	2034
225,000		20	4,500,000	0.115	517,500	0.204335	105,743.36	920	11,126.25	93,697.11	1,077,516.79	14	2035
225,000		20	4,500,000	0.115	517,500	0.204335	105,743.36	920	11,126.25	93,697.11	1,171,213.91	15	2036
225,000		20	4,500,000	0.115	517,500	0.204335	105,743.36	920	11,126.25	93,697.11	1,264,911.02	16	2037
225,000		20	4,500,000	0.115	517,500	0.204335	105,743.36	920	11,126.25	93,697.11	1,358,608.13	17	2038
225,000		20	4,500,000	0.115	517,500	0.204335	105,743.36	920	11,126.25	93,697.11	1,452,305.24	18	2039
225,000		20	4,500,000	0.115	517,500	0.204335	105,743.36	920	11,126.25	93,697.11	1,546,002.36	19	2040
225,000		20	4,500,000	0.115	517,500	0.204335	105,743.36	920	11,126.25	93,697.11	1,639,699.47	20	2041
Total	20												
Estimated Eligible Infrastructure Costs						\$ 961,000							
Total Construction Project Period						5 years							
Payback Period from 1st year of construction						13 years							

Exhibit "B"

Development Plan

Horizon Estate Subdivision
Development District
0000 Majestic Drive
(between Rainbow Drive &
Taylor Road)

3P Development- Project
Developer



9. Legal Description and Map

Legal Description:

HORIZON ESTATES, S24, T32, R15, BLOCK D, Lot 1 - 3 & 6-20, ACRES 5.74 (commonly known as 00000 MAJESTIC DR, Independence, KS 67301)

HORIZON ESTATES, S24, T32, R15, BLOCK F, ACRES 5.2, LTS 1-9; 14-22 (commonly known as 00000 MAJESTIC DR, Independence, KS 67301)

HORIZON ESTATES, S24, T32, R15, BLOCK H, Lot 1 - 25, ACRES 7.67 (commonly known as 00000 MAJESTIC DR, Independence, KS 67301)

HORIZON ESTATES, S24, T32, R15, BLOCK G, Lot 22 - 28, ACRES 1.98 (commonly known as 00000 MAJESTIC DR, Independence, KS 67301)

10. Assessed Valuation for Tax Year 2022 was \$2,250.00

2022 Appraised Value

Class	Land	Building	Total
Agricultural Use - A	840	0	840
Total	840	0	840

Class	Land	Building	Total
Agricultural Use - A	210	0	210
Total	210	0	210

Class	Land	Building	Total
Agricultural Use - A	570	0	570
Total	570	0	570

Class	Land	Building	Total
Agricultural Use - A	630	0	630
Total	630	0	630

11.Primary Owner:

Shawn and Lori Schabel
3588 CR 4675
Independence, KS 67301

12.Development of a new subdivision for the development of single-family homes with a target market price of \$250,000. (“Target Market Price” reflects 3 Bedroom/2 Bathroom home of roughly 1450 to 1700 square feet livable space and multi-family duplexes with a target development cost of \$450,000. (“Target Development Cost” reflects 3 Bedroom/2 Bathroom duplex of roughly 1400 to 1700 square feet livable space.

13.Names and addresses of developer **3P Development**

14.Contractual Assurances of the Developer – Developers intend to utilize the RHID tool to reimburse the cost of construction of sewer line installation for 9 lots estimated to be approximately \$2,500,000 in total cost. Financing for the project will be negotiated with City input on best responsible strategy for City of Independence, Kansas Taxpayers.

15.Comprehensive Feasibility Analysis

Exhibit A shows an RHID Revenue project based on a 6-year neighborhood build out schedule.

- 16.The City of Independence, Kansas Housing Study completed in December 2021 indicated a critical need for available lots for housing development to help ease the strain on our current housing market. While this development won't solve our current housing shortage it will create an opportunity for new homes to be added to our inventory and can be combined with additional efforts to explore infill development, upper-story development and additional single-family projects both detached and attached. There is a critical need for housing for our local workforce and community and this project hopes to help fill this need.

\$450,000 avg. sale price per duplex													
\$250,000 avg. sale price per home													
RHID-Horizon Estates Subdivision (5 yr build-out/225k)													
COMPREHENSIVE FINANCIAL FEASIBILITY ANALYSIS													
Unimproved Tax Calculation						Value	Assessment Rate	Assessed Value	Mill Levy	Base Year Tax	Years in Program	Total Base Year Tax	
Parcel #063-086-24-0-20-01-002.00-0 (tax yr. 2022 est. value for land only)						2,250	0.115	258.75	0.204335	52.87	12	634.46	
Parcel #063-086-24-0-20-01-027.00-0													
063-086-24-0-20-02-001.00-0													
063-086-24-0-20-03-001.00-0													
Home Value	New Homes Built	No. of Homes Taxed	County Appraised Value	Assessment Rate	Assessed Value	Mill Levy	Gross Tax Increase	School Tax Exempt.	State Exemption 21.5 mills	Annual New Tax Generated	Accumulated New Taxes Generated	Program Year	Year of Tax Statement
		0	-	0.115	-	0.204335					-	1	2022
450,000	10	10	4,500,000	0.115	517,500	0.204335	105,743.36	460	11,126.25	94,157.11	94,157.11	2	2023
250,000	5	15	3,750,000	0.115	431,250	0.204335	88,119.47	690	9,271.88	78,157.59	172,314.71	3	2024
450,000	10	25	11,250,000	0.115	1,293,750	0.204335	264,358.41	1,150	27,815.63	235,392.78	407,707.49	4	2025
250,000	5	30	7,500,000	0.115	862,500	0.204335	176,238.94	1,380	18,543.75	156,315.19	564,022.68	5	2026
450,000		30	13,500,000	0.115	1,552,500	0.204335	317,230.09	1,380	33,378.75	282,471.34	846,494.01	6	2027
450,000		30	13,500,000	0.115	1,552,500	0.204335	317,230.09	1,380	33,378.75	282,471.34	1,128,965.35	7	2028
450,000		30	13,500,000	0.115	1,552,500	0.204335	317,230.09	1,380	33,378.75	282,471.34	1,411,436.69	8	2029
450,000		30	13,500,000	0.115	1,552,500	0.204335	317,230.09	1,380	33,378.75	282,471.34	1,693,908.03	9	2030
450,000		30	13,500,000	0.115	1,552,500	0.204335	317,230.09	1,380	33,378.75	282,471.34	1,976,379.36	10	2031
450,000		30	13,500,000	0.115	1,552,500	0.204335	317,230.09	1,380	33,378.75	282,471.34	2,258,850.70	11	2032
450,000		30	13,500,000	0.115	1,552,500	0.204335	317,230.09	1,380	33,378.75	282,471.34	2,541,322.04	12	2033
450,000		30	13,500,000	0.115	1,552,500	0.204335	317,230.09	1,380	33,378.75	282,471.34	2,823,793.38	13	2034
450,000		30	13,500,000	0.115	1,552,500	0.204335	317,230.09	1,380	33,378.75	282,471.34	3,106,264.71	14	2035
450,000		30	13,500,000	0.115	1,552,500	0.204335	317,230.09	1,380	33,378.75	282,471.34	3,388,736.05	15	2036
450,000		30	13,500,000	0.115	1,552,500	0.204335	317,230.09	1,380	33,378.75	282,471.34	3,671,207.39	16	2037
450,000		30	13,500,000	0.115	1,552,500	0.204335	317,230.09	1,380	33,378.75	282,471.34	3,953,678.73	17	2038
450,000		30	13,500,000	0.115	1,552,500	0.204335	317,230.09	1,380	33,378.75	282,471.34	4,236,150.06	18	2039
450,000		30	13,500,000	0.115	1,552,500	0.204335	317,230.09	1,380	33,378.75	282,471.34	4,518,621.40	19	2040
450,000		30	13,500,000	0.115	1,552,500	0.204335	317,230.09	1,380	33,378.75	282,471.34	4,801,092.74	20	2041
Total	30												
Estimated Eligible Infrastructure Costs						\$ 2,500,000							
Total Construction Project Period						5 years							
Payback Period from 1st year of construction						12 years							

Exhibit "C"

Development Plan

South Rainbow Subdivision
Development District

0000 Rainbow Drive

(between CR 3700 & Regency
Drive)

TL Carroll Enterprises LLC- Project
Developer



17. Legal Description and Map

Legal Description:

HORIZON ESTATES, S13, T32, R15, BLOCK D, Lot 21 - 29, 129001 SQUARE FEET, Lot Width: 966.5 Lot Depth: 112.5 IRR (commonly known as 00000 RAINBOW DR, Independence, KS 67301)

18. Assessed Valuation for Tax Year 2022 was \$13,100.00

2022 Appraised Value

Class	Land	Building	Total
Vacant Lots - V	13,100	0	13,100
Total	13,100	0	13,100

19. Primary Owner:

TL Carroll Enterprises LLC
 24043 North 4040 Road
 Nowata, Oklahoma 74048-5104

20. Development of 9 new lots for the development of single-family homes with a target market price of \$250,000 to \$350,000. ("Target Market Price" reflects 3 Bedroom/2 Bathroom home of roughly 1700 to 2000 square feet livable space.

21. Names and addresses of developer TL Carroll Enterprises LLC, 24043 North 4040 Road, Nowata, Oklahoma, 74048-5104.

22. Contractual Assurances of the Developer – Developers intend to utilize the RHID tool to reimburse the cost of construction of sewer line installation for 9 lots estimated to be approximately \$177,360 in total cost. Financing for the project will be negotiated with City input on best responsible strategy for City of Independence, Kansas Taxpayers.

23. Comprehensive Feasibility Analysis

Exhibit A shows an RHID Revenue project based on a 6-year neighborhood build out schedule.

24. The City of Independence, Kansas Housing Study completed in December 2021 indicated a critical need for available lots for housing development to help ease the strain on our current housing market. While this development won't solve our current housing shortage it will create an opportunity for new homes to be added to our inventory and can be combined with additional efforts to explore infill development, upper-story development and additional single-family projects both detached and attached. There is a critical need for housing for our local workforce and community and this project hopes to help fill this need.

\$300,000 avg. sale price per home													
RHID-South Rainbow (10 yr build-out/225k)													
COMPREHENSIVE FINANCIAL FEASIBILITY ANALYSIS													
Unimproved Tax Calculation							Value	Assessment Rate	Assessed Value	Mill Levy	Base Year Tax	Years in Program	Total Base Year Tax
Parcel #0630861303004001000 (tax yr. 2022 est. value for land only)							13,100	0.115	1,506.50	0.204335	307.83	8	2,462.65
Home Value	New Homes Built	No. of Homes Taxed	County Appraised Value	Assessment Rate	Assessed Value	Mill Levy	Gross Tax Increase	School Tax Exemp.	State Exemption 21.5 mills	Annual New Tax Generated	Accumulated New Taxes Generated	Program Year	Year of Tax Statement
		0	-	0.115	-	0.204335					-	1	2022
300,000	2	2	600,000	0.115	69,000	0.204335	14,099.12	92	1,483.50	12,523.62	12,523.62	2	2023
300,000	-	2	600,000	0.115	69,000	0.204335	14,099.12	92	1,483.50	12,523.62	25,047.23	3	2024
300,000	2	4	1,200,000	0.115	138,000	0.204335	28,198.23	184	2,967.00	25,047.23	50,094.46	4	2025
300,000	-	4	1,200,000	0.115	138,000	0.204335	28,198.23	184	2,967.00	25,047.23	75,141.69	5	2026
300,000	2	6	1,800,000	0.115	207,000	0.204335	42,297.35	276	4,450.50	37,570.85	112,712.54	6	2027
300,000	-	6	1,800,000	0.115	207,000	0.204335	42,297.35	276	4,450.50	37,570.85	150,283.38	7	2028
300,000	2	8	2,400,000	0.115	276,000	0.204335	56,396.46	368	5,934.00	50,094.46	200,377.84	8	2029
300,000	-	8	2,400,000	0.115	276,000	0.204335	56,396.46	368	5,934.00	50,094.46	250,472.30	9	2030
300,000	1	9	2,700,000	0.115	310,500	0.204335	63,446.02	414	6,675.75	56,356.27	306,828.57	10	2031
300,000		9	2,700,000	0.115	310,500	0.204335	63,446.02	414	6,675.75	56,356.27	363,184.84	11	2032
300,000		9	2,700,000	0.115	310,500	0.204335	63,446.02	414	6,675.75	56,356.27	419,541.10	12	2033
300,000		9	2,700,000	0.115	310,500	0.204335	63,446.02	414	6,675.75	56,356.27	475,897.37	13	2034
300,000		9	2,700,000	0.115	310,500	0.204335	63,446.02	414	6,675.75	56,356.27	532,253.64	14	2035
300,000		9	2,700,000	0.115	310,500	0.204335	63,446.02	414	6,675.75	56,356.27	588,609.91	15	2036
300,000		9	2,700,000	0.115	310,500	0.204335	63,446.02	414	6,675.75	56,356.27	644,966.17	16	2037
300,000		9	2,700,000	0.115	310,500	0.204335	63,446.02	414	6,675.75	56,356.27	701,322.44	17	2038
300,000		9	2,700,000	0.115	310,500	0.204335	63,446.02	414	6,675.75	56,356.27	757,678.71	18	2039
300,000		9	2,700,000	0.115	310,500	0.204335	63,446.02	414	6,675.75	56,356.27	814,034.98	19	2040
300,000		9	2,700,000	0.115	310,500	0.204335	63,446.02	414	6,675.75	56,356.27	870,391.24	20	2041
Total	9												
Estimated Eligible Infrastructure Costs						\$ 177,360							
Total Construction Project Period						5 years							
Payback Period from 1st year of construction						13 years							



REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
July 14, 2022

Department Admin

Director Approval David Cowan

AGENDA ITEM Consideration of Change Order Approvals for Fire-EMS construction.

SUMMARY RECOMMENDATION City Staff Recommends approval of change orders.

BACKGROUND City staff is working with McCown Gordon and TreanorHL during the construction phase of Fire-EMS. The following are the change order descriptions:

1. Change Order #7. The ceramic floor tile is updated to a new tile that meets DCOF requirements. The previous tile called out for CTB1 is no longer needed in the project, therefore we can use the already specified Roca Maiolica biscuite tile in lieu of the original base tile. This allows the base tile to match the wall tile in the lobby restrooms as well. -- Cost of CO #7 \$373.01
2. Change Order #8. May weather extension exceeded the allowed 5-days. Total weather days were eight. Please see the attached agreement and our responsibility to pay for days that exceed the allowed weather days per month. -- Cost of CO #8 \$4,555.78
3. Change Order #9 Unsuitable soils found in the locations on the attached PDF. Per GSI over-excavation was required to meet minimum bearing. Over-excavated footings were poured back with concrete. -- Cost of CO #9 \$709.87

Total Cost of Change Orders: \$5,638.66

FINANCIAL INFORMATION Proposed change order to be taken from owner contingency of \$320,666.42. Total Cost of Change Orders: \$5,638.66.

SUGGESTED MOTION I move to authorize change orders 7,8, & 9 totaling \$5,638.66.

SUPPORTING DOCUMENTS

1. Change Order #7
2. Change Order #8
3. Change Order #8 - Weather Days Contract Language
4. Change Order #9



PCCOR #007

McCownGordon
255 N. Mead, Suite #200
Wichita, Kansas 67202
Phone: (316) 202-5611
Fax: (316) 221-1021

Project: 1-07-1388 - Independence City Hall & Fire/EMS Add'n/Remodel
120 N 6th St (City Hall)900 Block of Myrtle St (Fire/EMS)
Independence, Kansas 67301

Prime Contract Change Order Request #007: F&EMS - ASI-04

TO:	City of Independence Kansas 811 W. Laurel St. Independence, Kansas 67301	FROM:	McCownGordon Construction, LLC 850 Main Street Kansas City, Missouri 64105
CHANGE ORDER REQUEST NUMBER / REVISION:	007 / 0	PRIME CONTRACT CHANGE ORDER:	None
STATUS:	Pending - Proceeding	CREATED BY:	Brandon Brinker (McCownGordon - Wichita)
SCHEDULE IMPACT:		DATE CREATED:	6/30/2022
EXECUTED:	No	SIGNED CHANGE ORDER RECEIVED DATE:	
		TOTAL AMOUNT:	\$373.01

CHANGE ORDER REQUEST TITLE: F&EMS - ASI-04

CHANGE ORDER REQUEST DESCRIPTION:

CE #017 - F&EMS - ASI-04

A701 – Updated CFT1 and CTB1 in finish schedule. The ceramic floor tile is updating to a new tile that meets DCOF requirements. The previous tile called out for CTB1 is no longer needed in the project, therefore we can use the already specified Roca Maiolica biscuite tile in leu of the original base tile. This allows the base tile to match the wall tile in the lobby restrooms as well.

ATTACHMENTS:

[RE_Fire and EMS - Ceramic Floor Tile .msg](#) , [_A701 - INTERIORS.pdf](#) , [_Transmittal_ASI - SI-00004 \(Forwarded\).pdf](#) , [_ASI 04 - COVERSHEET ONLY.pdf](#)

POTENTIAL CHANGE ORDERS IN THIS CHANGE ORDER REQUEST:

PCO #	Contract Company	Title	Schedule Impact	Amount
007	City of Independence Kansas	F&EMS - ASI-04		\$373.01
Total:				\$373.01

CHANGE ORDER REQUEST LINE ITEMS:

PCO # 007: F&EMS - ASI-04

#	Budget Code	Description	Amount
1	FE.9-68001.S Fire & EMS Main Job.Carpeting & Tile - Star Floor.Subcontractor	ASI - 004	\$340.51
Subtotal:			\$340.51
General Liability (0.95% Applies to Fee, Contingency, Labor Overtime, Labor, Subcontractor, and Material.):			\$3.23
Builders Risk (0.35% Applies to Material, Subcontractor, Labor, Labor Overtime, Fee, and Contingency.):			\$1.20
Bonds (0.90% Applies to Material, Subcontractor, Labor, Labor Overtime, Fee, and Contingency.):			\$3.10
Subguard (1.75% Applies to Subcontractor.):			\$6.09
Warranty (0.50% Applies to Fee, Contingency, Labor Overtime, Labor, Subcontractor, and Material.):			\$1.77
Fee (2.25% Applies to Fee, Contingency, Labor Overtime, Labor, Subcontractor, and Material.):			\$8.01
Construction Contingency (2.50% Applies to Fee, Contingency, Labor Overtime, Labor, Subcontractor, and Material.):			\$9.10
Grand Total:			\$373.01

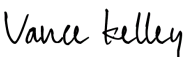


PCCOR #007

Vance Kelley (TreanorHL - Topeka)
719 SW Van Buren St., Suite 200
Topeka, Kansas 66603

City of Independence Kansas
811 W. Laurel St.
Independence, Kansas 67301

McCownGordon Construction, LLC
850 Main Street
Kansas City, Missouri 64105

DocuSigned by:


7/6/2022 | 10:16 AM CDT

SIGNATUREDATE

McCownGordon

DocuSigned by:


6/30/2022 | 2:31 PM

SIGNATUREDATE

Printed On: 6/30/2022 09:27 AM

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From: Josh Hazelton [josh.hazelton@starlumber.com]
To: Brandon Brinker [bbrinker@mccowngordon.com]
Subject: RE: Fire and EMS - Ceramic Floor Tile
Sent: Thu 6/2/2022 8:14 AM GMT-07:00
Importance: Normal

Brandon,

You are correct, the increased price, is mostly due to the price difference in the tile they want to use for the tile base now.

Thank you,

Josh Hazelton

Commercial Flooring Account Manager
325 S. West Street Wichita, KS 67213
P 316.259.5847

josh.hazelton@starlumber.com <mailto:josh.hazelton@starlumber.com>

<https://nam02.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.starlumber.com%2F&data=05%7C01%7Cbbrinker%40mccowngordon.com%7Cc5a4995657f74789cf4608da44aa5744%7Ce84ee08f51b84292909686df1502b863%7C0%7C0%7C637897796434149248%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6IklhaWwiLCJXVCI6Mn0%3D%7C2000%7C%7C%7C&sdata=Z2Q3rUTf%2FZCstePDjbuq4cMHZygrGr0aONiRvkQNVbI%3D&reserved=0>

<https://nam02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.facebook.com%2FStarToFinish&data=05%7C01%7Cbbrinker%40mccowngordon.com%7Cc5a4995657f74789cf4608da44aa5744%7Ce84ee08f51b84292909686df1502b863%7C0%7C0%7C637897796434149248%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6IklhaWwiLCJXVCI6Mn0%3D%7C2000%7C%7C%7C&sdata=eq49TWVZJSekaMht2lNUUKSMUIIlecbBziUI0jkQyiE%3D&reserved=0>

<https://nam02.safelinks.protection.outlook.com/?url=https%3A%2F%2Ftwitter.com%2Fstarlumber&data=05%7C01%7Cbbrinker%40mccowngordon.com%7Cc5a4995657f74789cf4608da44aa5744%7Ce84ee08f51b84292909686df1502b863%7C0%7C0%7C637897796434149248%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6IklhaWwiLCJXVCI6Mn0%3D%7C2000%7C%7C%7C&sdata=K7%2Bf5yLbm4yHBM1lkkxK33Bz%2FUwVj%2B2XyNX25zVpeCA%3D&reserved=0>

From: Brandon Brinker <bbrinker@mccowngordon.com>
Sent: Thursday, June 2, 2022 8:33 AM
To: Josh Hazelton <josh.hazelton@starlumber.com>
Subject: RE: Fire and EMS - Ceramic Floor Tile

Josh so if I'm looking at this correctly in order to go with the new tile it will cost the project an additional \$340.51 compared to your original contract amount? Just want to make sure we are on the same page.

Thanks,

brandon Brinker

Project Manager

McCOWNGORDON

o 316.202.5611 M 785.294.1387

From: Josh Hazelton <josh.hazelton@starlumber.com
<mailto:josh.hazelton@starlumber.com> >
Sent: Wednesday, June 1, 2022 9:29 AM
To: Brandon Brinker <bbrinker@mccowngordon.com
<mailto:bbrinker@mccowngordon.com> >
Subject: RE: Fire and EMS - Ceramic Floor Tile

Brandon,

We've gone through and updated the floor tile and tile base, now using the Florida Tile, Sequence 12x24, Color: Breeze on the floors, along with the Rcoa, Maiolica 4x10, Color: Biscuit Glossy, as the tile base now. We went ahead and changed the height of the tile base to 4" rather than 6", as it was originally intended. I think that will look better than cutting tiles down and having added grout joints, but if we need to change that, let me know.

The wall tile that we are using for the base now, is quite a bit more expensive than the floor tile, so that did increase the overall cost.

Let me know if this is approved to order and I'll get the rest of the tile on the way.

Thank you,

Josh Hazelton

Commercial Flooring Account Manager
325 S. West Street Wichita, KS 67213
P 316.259.5847

josh.hazelton@starlumber.com <mailto:josh.hazelton@starlumber.com>

<https://nam02.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.starlumber.com%2F&data=05%7C01%7Cbbrinker%40mccowngordon.com%7Cc5a4995657f74789cf4608da44aa5744%7Ce84ee08f51b84292909686df1502b863%7C0%7C0%7C637897796434149248%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6IklhaWwiLCJXVCI6Mn0%3D%7C2000%7C%7C%7C&sdata=Z2Q3rUTf%2FZCstePDjbuq4cMHZygrGr0aONiRvkQNVbI%3D&reserved=0>

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From: Brandon Brinker <bbrinker@mccowngordon.com
<mailto:bbrinker@mccowngordon.com> >
Sent: Tuesday, May 24, 2022 10:01 AM
To: Josh Hazelton <josh.hazelton@starlumber.com
<mailto:josh.hazelton@starlumber.com> >
Subject: RE: Fire and EMS - Ceramic Floor Tile

Thanks

brandon Brinker

Project Manager

McCOWNGORDON

o 316.202.5611 M 785.294.1387

From: Josh Hazelton <josh.hazelton@starlumber.com
<mailto:josh.hazelton@starlumber.com> >

Sent: Tuesday, May 24, 2022 10:00 AM
To: Brandon Brinker <bbrinker@mccowngordon.com
<mailto:bbrinker@mccowngordon.com> >
Subject: RE: Fire and EMS - Ceramic Floor Tile

Brandon,

I'll check with our supplier and see where these are at. I'll touch base with you, as soon as I know something.

Thank you,

Josh Hazelton

Commercial Flooring Account Manager
325 S. West Street Wichita, KS 67213
P 316.259.5847

josh.hazelton@starlumber.com <mailto:josh.hazelton@starlumber.com>

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<<https://nam02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.facebook.com%2FstarToFinish&data=05%7C01%7Cbbrinker%40mccowngordon.com%7Cc5a4995657f74789cf4608da44aa5744%7Ce84ee08f51b84292909686df1502b863%7C0%7C0%7C637897796434149248%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6IklhaWwiLCJXVCI6Mn0%3D%7C2000%7C%7C%7C&sdata=eq49TWVZJSekaMHt2lNUUKSMUIIlecbBZiUI0jkQyiE%3D&reserved=0>>

<<https://nam02.safelinks.protection.outlook.com/?url=https%3A%2F%2Ftwitter.com%2Fstarlumber&data=05%7C01%7Cbbrinker%40mccowngordon.com%7Cc5a4995657f74789cf4608da44aa5744%7Ce84ee08f51b84292909686df1502b863%7C0%7C0%7C637897796434149248%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6IklhaWwiLCJXVCI6Mn0%3D%7C2000%7C%7C%7C&sdata=K7%2Bf5yLbm4yHBM1lkkxK33Bz%2FUwVj%2B2XyNX25zVpeCA%3D&reserved=0>>

From: Brandon Brinker <bbrinker@mccowngordon.com
<mailto:bbrinker@mccowngordon.com> >
Sent: Tuesday, May 24, 2022 9:46 AM
To: Josh Hazelton <josh.hazelton@starlumber.com
<mailto:josh.hazelton@starlumber.com> >

Subject: FW: Fire and EMS - Ceramic Floor Tile

This external email is NOT trusted by Star I.T. - Be cautious.

Josh, See below. What are your thoughts on this?

brandon Brinker

Project Manager

McCOWNGORDON

o 316.202.5611 M 785.294.1387

From: Chloe Middleton <cmiddleton@treanorhl.com
<mailto:cmiddleton@treanorhl.com> >
Sent: Monday, May 23, 2022 2:03 PM
To: Brandon Brinker <bbrinker@mccowngordon.com
<mailto:bbrinker@mccowngordon.com> >
Cc: Chris Birkenmaier <cbirkenmaier@treanorhl.com
<mailto:cbirkenmaier@treanorhl.com> >
Subject: Fire and EMS - Ceramic Floor Tile

Hey Brandon,

I've been looking into other floor tiles to replace the tile that cannot meet friction requirements. There's a few options we like and want to make sure it stays in budget before I order samples or anything.

1. Sequence, 34901 Breeze
2. Sequence, 34938 Drift
3. Serendipity, SDP10 Fortune White

I'm looking at keeping a similar size tile as was shown in the finish schedule; for these tiles, that would be the 12x24 tiles. Can you see if any of these tiles will work with the budget before I order samples?

https://d2bnvhcdai5wl.cloudfront.net/uploads/pdfs/literature/190/original/Sequence_Lit_1121.pdf
<https://nam02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fd2bnvhcdai5wl.cloudfront.net%2Fuploads%2Fpdfs%2Fliterature%2F190%2Foriginal%2FSequence_Lit_1121.pdf&data=05%7C01%7Cbbrinker%40mccowngordon.com%7Cc5a4995657f74789cf4608da44a5744%7Ce84ee08f51b84292909686df1502b863%7C0%7C0%7C637897796434149248%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6IklhaWwiLCJXVCI6Mn0%3D>

%7C2000%7C%7C%7C&sdata=N%2F9g%2Bde9zxa%2FIUCHqfcQV5el6fYCC2SmxeZe6aBbvRU%3D&reserved=0>

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<https://nam02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fd2bnvhcdayi5wl.cloudfront.net%2Fuploads%2Fpdfs%2Fliterature%2F244%2Foriginal%2FMAG_SERENDIPITY_BROCHURE.pdf&data=05%7C01%7Cbbrinker%40mccowngordon.com%7Cc5a4995657f74789cf4608da44aa5744%7Ce84ee08f51b84292909686df1502b863%7C0%7C0%7C637897796434149248%7CUnknown%7CTWFpbGZsb3d8eyJWIjoimC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6IklhaWwiLCJXVCI6Mn0%3D%7C2000%7C%7C%7C&sdata=LuX7WLBSLcXmSMY8mZ5vYBytOLD4vrTwoJ2cZcv4svo%3D&reserved=0>

Thanks,

Chloe Middleton AIA
ARCHITECT

TREANORHL
o 816.221.0900
d 303.298.4720

treanorhl.com
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<https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fdata.openasset.com%2f18e5bf1%2f1d30a6ea8678c76c0fdc0d2e562701d0%2fR_211130_png%2fR_211130_sig.png&c=E,1,F5V2WI8gdtLBgMrCFF4DKOhIqP4gajSFY9NbVgNBsFOIwoSS5bxejlKpuplwhQ_TjllXVaRdsJmleWMMHsygATvoTYhMlUzyIPT>

TreanorHL is proud to be a 2021 Outstanding Emerging Professional Friendly Firm.
Learn more

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A700 - BASIS-OF-DESIGN INTERIOR FINISHES				
KEY NAME	MATERIAL	MANUFACTURER	STYLE / COLOR / SIZE	REMARKS
FLOOR FINISH				
CFT1	CERAMIC PORCELAIN TILE	FLORIDALTILE	SEQUENCE / 12X14 BREEZE / 34901 / INSTALL PATTERN: BRICK	
CPT1	CARPET TILE	J+J FLOORING	KINETEX / DOWNTOWN 1850 / COLOR: BOURBON 3156 / SIZE: 24"X24" TILE / QUARTER TURN	
LVT1	LUXURY VINYL TILE	NATURELLE	COLOR: NUTMEG OAK, D 34	
RES1	RESINOUS EPOXY FLOORING WITH INTEGRAL BASE	REF. SPECIFICATIONS	REF. SPECIFICATIONS	
RSP1	RESILIENT ATHLETIC FLOORING	NORA SYSTEMS, INC	NORAMENT SATURA / COLOR: 5105 CYGNUS	
SC1	SEALED CONCRETE	--	REF. SPECIFICATIONS	
BASE/TRIM FINISH				
CTB1	CERAMIC PORCELAIN TILE	PREMIER TILE CORPORATION	ROCA MAIOLICA / BISCUITE / GLOSSY FINISH / 4"X10" / INSTALL PATTERN: BRICK	
RB1	RUBBER BASE	ROPPE	700 SERIES / STANDARD TOE PROFILE / COLOR: #193 BLACK BROWN / SIZE: 4"	
TRM1	TRIM PIECE	SCHLUTER	SERIES: DILEX-AHK COLOR: TO MATCH HARDWARE FINISH, COORDINATE WITH ARCHITECT	BASE TRANSITION FROM FLOOR TILE TO WALL TILE & AT CORNER INSTANCES
TRM2	TRIM PIECE	SCHLUTER	SERIES: JOLLY COLOR: TO MATCH HARDWARE FINISH, COORDINATE WITH ARCHITECT	FINISH PROFILE FOR WAINSCOT WALL TILE
WALL FINISHES				
CWT1	CERAMIC PORCELAIN TILE	PREMIER TILE CORPORATION	ROCA MAIOLICA / BISCUITE / GLOSSY FINISH / 4"X10" / INSTALL PATTERN: BRICK	
CWT2	CERAMIC PORCELAIN TILE	DALTILE	COLOR WHEEL / GLAZED CERAMIC / COLOR: 41, WHITE 01000 / 3"X6" / GLOSSY FINISH	
PT1	PAINT, FIELD	BENJAMIN MOORE	COLOR: EVERLASTING 1038	
PT2	PAINT, EPOXY	BENJAMIN MOORE	COLOR: EVERLASTING 1038	
PT3	PAINT, ACCENT	BENJAMIN MOORE	COLOR: STONE HOUSE 1039	
PT4	PAINT, ACCENT	BENJAMIN MOORE	COLOR: BURNT RUSSET 042	
CEILING FINISHES				
APC1	2X2 ACOUSTICAL PANEL CEILING	REF. RCPS	REF. SPECIFICATIONS	NRC .95
APC2	2X4 ACOUSTICAL PANEL CEILING	REF. RCPS	REF. SPECIFICATIONS	
FB1	FELT ACOUSTICAL BAFFLES	TURF	TORRENT / STANDARD TORRENT PATTERN SIZE: LARGE (95IN) COLOR: #98 STORM & #16 RED SPACING: 8 IN O.C.	SOUND BATT INSULATION ABOVE FELT LOCK BAFFLE ASSEMBLY REF. RCPS FOR LOCATIONS.
GYP1	PAINTED GYP BOARD	--	PAINT COLOR: REF. PT1	REF. RCPS FOR LOCATIONS.
MILLWORK FINISHES				
PL1	PLASTIC LAMINATE	FORMICA	COLOR: #5884-58 CHESTNUT WOODLINE FINISH: MATTE	
SS1	SOLID SURFACE	FORMICA	COLOR: 742 BLANCO TERRAZZO	
STL1	STAINLESS STEEL	--	REF. SPECIFICATIONS	

- GENERAL NOTES
- A REFERENCE PLANS AND PARTITION TYPES FOR MATERIAL SUBSTRATES
- B TILE WAINSCOT TO 4'-0" A.F.F. INTEGRATE ELECTRICAL SWITCH PLATES, DIAPER CHANGING STATIONS, ETC. INTO TILE PATTERN, TYP REF XX/XXX

TREANORHL

1811 Baltimore Avenue
Kansas City, Missouri 64108
Cell: 816.221.4890
Fax: 816.221.4892
www.TreanorHL.com

CITY OF INDEPENDENCE, KANSAS
FIRE AND EMS STATION

924 W MYRTLE ST
INDEPENDENCE, KANSAS 67301



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Issued For: CONSTRUCTION

Date: 11/18/21

REVISIONS		
NO	DESCRIPTION	DATE
2	ADDENDUM #2	12-07-21
3	ASI 01	03-10-22
5	ASI 03	04-12-22
6	ASI 04	05-24-22

A701

INTERIORS

TreanorHL NO.

**ASI TRANSMITTAL**

PROJECT: Independence City Hall Phase 2
PROJECT NO.: HP0559.1901.00
TRANSMITTAL ID: 00251
SUBJECT: ASI 004
PURPOSE: For Review

ASI ID: SI-00004
DATE: 5/24/2022
RETURN BY:
OWNER: City of Independence, KS
VIA: Info Exchange

To:

Name	Email	Phone
Brandon Brinker McCown Gordon Construction, LLC 300 North Mead, Suite 104 Wichita KS 67202 United States	bbrinker@mccowngordon.com	(316) 202-5611

From:

Name	Email	Phone
Miesha McGee TreatnorHL, Inc. 1811 Baltimore Avenue Kansas City MO 64108-1314 United States	mmcgee@TreatnorHL.com	816.581.4026 x4026

Description:**Attachments:**

Qty	Dated	Title	Notes
1	5/24/2022	ASI 04 - COVERSHEET ONLY.pdf	
1	5/24/2022	A701 - INTERIORS.pdf	

Copies:

Chloe Middleton, TreatnorHL, Inc.



ARCHITECT'S SUPPLEMENTAL INSTRUCTIONS

PROJECT: City of Independence, KS, Fire
and EMS Station

ASI NO.: 04

PROJECT NO.: HP0559.1901.01

DATE OF ISSUANCE: May 24, 2022

CONTRACT FOR: General Construction

CONTRACT DATED: November 18, 2021

TO: McCownGordon

OWNER: City of Independence, KS

ATTENTION: Drew Kempf

The Work shall be carried out in accordance with the following supplemental instructions issued in accordance with the Contract Documents without change in Contract Sum or Contract Time. Return a signed copy of these instructions to the Architect before proceeding with the Work. Proceeding with the Work in accordance with these instructions indicates your acknowledgement that there will be no change in the Contract Sum or Contract Time.

Description:

1. A701 – Updated CFT1 and CTB1 in finish schedule. The ceramic floor tile is updating to a new tile that meets DCOF requirements. The previous tile called out for CTB1 is no longer needed in the project, therefore we can use the already specified Roca Maiolica biscuite tile in leu of the original base tile. This allows the base tile to match the wall tile in the lobby restrooms as well.

Attachments: Sheets: A701

ARCHITECT

TreanorHL, Inc.
1811 Baltimore Ave
Kansas City, MO 64108

Chloe Middleton

By

May 24, 2022

Date

CONTRACTOR

McCownGordon Construction
255 N Mead, Suite 200
Wichita, KS 67202

Copies: Chris Birkenmaier, TreanorHL





PCCOR #008

McCownGordon
255 N. Mead, Suite #200
Wichita, Kansas 67202
Phone: (316) 202-5611
Fax: (316) 221-1021

Project: 1-07-1388 - Independence City Hall & Fire/EMS Add'n/Remodel
120 N 6th St (City Hall)900 Block of Myrtle St (Fire/EMS)
Independence, Kansas 67301

Prime Contract Change Order Request #008: CE #021 - May Weather

TO:	City of Independence Kansas 811 W. Laurel St. Independence, Kansas 67301	FROM:	McCownGordon Construction, LLC 850 Main Street Kansas City, Missouri 64105
CHANGE ORDER REQUEST NUMBER / REVISION:	008 / 0	PRIME CONTRACT CHANGE ORDER:	None
STATUS:	Pending - Proceeding	CREATED BY:	Brandon Brinker (McCownGordon - Wichita)
SCHEDULE IMPACT:	3 days	DATE CREATED:	6/30/2022
EXECUTED:	No	SIGNED CHANGE ORDER RECEIVED DATE:	
		TOTAL AMOUNT:	\$4,555.78

CHANGE ORDER REQUEST TITLE: CE #021 - May Weather

CHANGE ORDER REQUEST DESCRIPTION:

CE #021 - May Weather
May weather extension
Days included per contract : 5 working days
Days inccred : 8 working days
Extension warranted: 3 working days

ATTACHMENTS:

[07-1388 Independence Weather Delay .pdf](#)

POTENTIAL CHANGE ORDERS IN THIS CHANGE ORDER REQUEST:

PCO #	Contract Company	Title	Schedule Impact	Amount
008	City of Independence Kansas	CE #021 - May Weather	3 days	\$4,555.78
Total:				\$4,555.78

CHANGE ORDER REQUEST LINE ITEMS:

PCO # 008: CE #021 - May Weather

#	Budget Code	Description	Amount
1	FE.1-05004.L Fire & EMS Main Job.Project Manager.Labor	May GC Extension	\$4,231.50
Subtotal:			\$4,231.50
General Liability (0.95% Applies to Fee, Contingency, Labor Overtime, Labor, Subcontractor, and Material.):			\$40.20
Builders Risk (0.35% Applies to Material, Subcontractor, Labor, Labor Overtime, Fee, and Contingency.):			\$14.95
Bonds (0.90% Applies to Material, Subcontractor, Labor, Labor Overtime, Fee, and Contingency.):			\$38.58
Subguard (1.75% Applies to Subcontractor.):			\$0.00
Warranty (0.50% Applies to Fee, Contingency, Labor Overtime, Labor, Subcontractor, and Material.):			\$21.63
Fee (2.25% Applies to Fee, Contingency, Labor Overtime, Labor, Subcontractor, and Material.):			\$97.80
Construction Contingency (2.50% Applies to Fee, Contingency, Labor Overtime, Labor, Subcontractor, and Material.):			\$111.12
Grand Total:			\$4,555.78



PCCOR #008

Vance Kelley (TreanorHL - Topeka)
719 SW Van Buren St., Suite 200
Topeka, Kansas 66603

City of Independence Kansas
811 W. Laurel St.
Independence, Kansas 67301

McCownGordon Construction, LLC
850 Main Street
Kansas City, Missouri 64105

DocuSigned by:

7/6/2022 | 10:17 AM CDT
SIGNATURE DATE

DocuSigned by:

6/30/2022 | 2:30 PM
SIGNATURE DATE

McCownGordon Construction
 Project: Independence Projects
 MGC Project #1-07-1388
 Last Date Updated:
 Lost Days Spreadsheet Summary

5/31/2022



Month	Day	Description	Lost Day	Inclement Days Per Contract	Extended Contract Days
May-22				5	3
	5/2/22	Wet site/Rain on and off	1		
	5/3/22	Wet site	1		
	5/4/22	Wet site/Rain on and off 1.5" of rain	1		
	5/5/22	Wet site/Rain on and off 1.25" of rain	1		
	5/6/22	Wet site	1		
	5/13/22	Rain shut down proofrole	1		
	5/24/22	1.75" of rain	1		
	5/31/22	Wet Site/rain on and off	1		
		Sub Total:	8		
Jun-22				4	0
		Sub Total:	0		
Jul-22				3	0
		Sub Total:	0		
Aug-22				3	0
		Sub Total:	0		
Sep-22				3	0
		Sub Total:	0		
Oct-22				2	0
		Sub Total:	0		
Nov-22				2	0
		Sub Total:	0		
Dec-22				4	0
		Sub Total:	0		
Jan-23				4	0
		Sub Total:	0		
Feb-23			0	4	0
		Sub Total:	0		
Mar-23			0	3	0

	Sub Total:	0
--	------------	---

Apr-23		0	3	0
	Sub Total:	0		
May-23		0	5	0
	Sub Total:	0		
Jun-23		0	4	0
	Sub Total:	0		
TOTAL :		8	49 Days	3

§ 14.2.3 Contract modifications due to inclement weather. During the construction phase of the Project (i.e. after the Date of Commencement) the Construction Manager has included in the Project schedule allowance days of inclement weather per the table below:

January	4 days	May	5 days	September	3 days
February	4 days	June	4 days	October	2 day
March	3 days	July	3 days	November	2 days
April	3 days	August	3 days	December	4 days

The Construction Manager shall document, in writing, to the Owner on a monthly basis all days on which critical path work could not be productively performed due to the effects of inclement weather, in increments of $\frac{1}{2}$ days. Unproductive

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19

elope ID: DF4EE390-A896-46DC-AAD9-911D3C3CE3D7

days in excess of those allowed per month, as listed above, shall constitute an extension of the contract completion date. Construction Manager shall be compensated for additional costs as a result of such time extension. Effects of weather impacts will be calculated and adjustments made to the Contract Price and Time on a monthly basis. Calendar days shall be used as the basis of tracking lost days. There shall be no "carry-over" of anticipated bad weather days from one month to another. By way of example, if August has four (4) scheduled inclement weather days but only has one (1) actual inclement weather day, then the anticipated three (3) extra days do not carry over into September.

**PCCOR #009**

McCownGordon
255 N. Mead, Suite #200
Wichita, Kansas 67202
Phone: (316) 202-5611
Fax: (316) 221-1021

Project: 1-07-1388 - Independence City Hall & Fire/EMS Add'n/Remodel
120 N 6th St (City Hall)900 Block of Myrtle St (Fire/EMS)
Independence, Kansas 67301

Prime Contract Change Order Request #009: F & EMS Unsuitable Soil

TO:	City of Independence Kansas 811 W. Laurel St. Independence, Kansas 67301	FROM:	McCownGordon Construction, LLC 850 Main Street Kansas City, Missouri 64105
CHANGE ORDER REQUEST NUMBER / REVISION:	009 / 0	PRIME CONTRACT CHANGE ORDER:	None
STATUS:	Pending - Proceeding	CREATED BY:	Brandon Brinker (McCownGordon - Wichita)
SCHEDULE IMPACT:		DATE CREATED:	6/30/2022
EXECUTED:	No	SIGNED CHANGE ORDER RECEIVED DATE:	
		TOTAL AMOUNT:	\$709.87

CHANGE ORDER REQUEST TITLE: F & EMS Unsuitable Soil

CHANGE ORDER REQUEST DESCRIPTION:

CE #029 - F & EMS Unsuitable Soil

Unsuitable soils found in the locations on the attached PDF. Per GSI over excavation was required to meet minimum bearing. Over excavated footings were poured back with concrete.

ATTACHMENTS:

[Foundation over digs.pdf](#) , [_Soil Bearing Report_10178943.pdf](#)

POTENTIAL CHANGE ORDERS IN THIS CHANGE ORDER REQUEST:

PCO #	Contract Company	Title	Schedule Impact	Amount
009	City of Independence Kansas	F & EMS Unsuitable Soil		\$709.87
Total:				\$709.87

CHANGE ORDER REQUEST LINE ITEMS:

PCO # 009: F & EMS Unsuitable Soil

#	Budget Code	Description	Amount
1	FE.3-05001.S Fire & EMS Main Job.Concrete Flattwork Bid - Smith.Subcontractor	Over excavated footing	\$648.00
Subtotal:			\$648.00
General Liability (0.95% Applies to Fee, Contingency, Labor Overtime, Labor, Subcontractor, and Material.):			\$6.16
Builders Risk (0.35% Applies to Material, Subcontractor, Labor, Labor Overtime, Fee, and Contingency.):			\$2.29
Bonds (0.90% Applies to Material, Subcontractor, Labor, Labor Overtime, Fee, and Contingency.):			\$5.91
Subguard (1.75% Applies to Subcontractor.):			\$11.59
Warranty (0.50% Applies to Fee, Contingency, Labor Overtime, Labor, Subcontractor, and Material.):			\$3.37
Fee (2.25% Applies to Fee, Contingency, Labor Overtime, Labor, Subcontractor, and Material.):			\$15.24
Construction Contingency (2.50% Applies to Fee, Contingency, Labor Overtime, Labor, Subcontractor, and Material.):			\$17.31
Grand Total:			\$709.87



PCCOR #009

Vance Kelley (TreanorHL - Topeka)
719 SW Van Buren St., Suite 200
Topeka, Kansas 66603

City of Independence Kansas
811 W. Laurel St.
Independence, Kansas 67301

McCownGordon Construction, LLC
850 Main Street
Kansas City, Missouri 64105

DocuSigned by:
Vance Kelley 7/6/2022 | 10:18 AM CDT

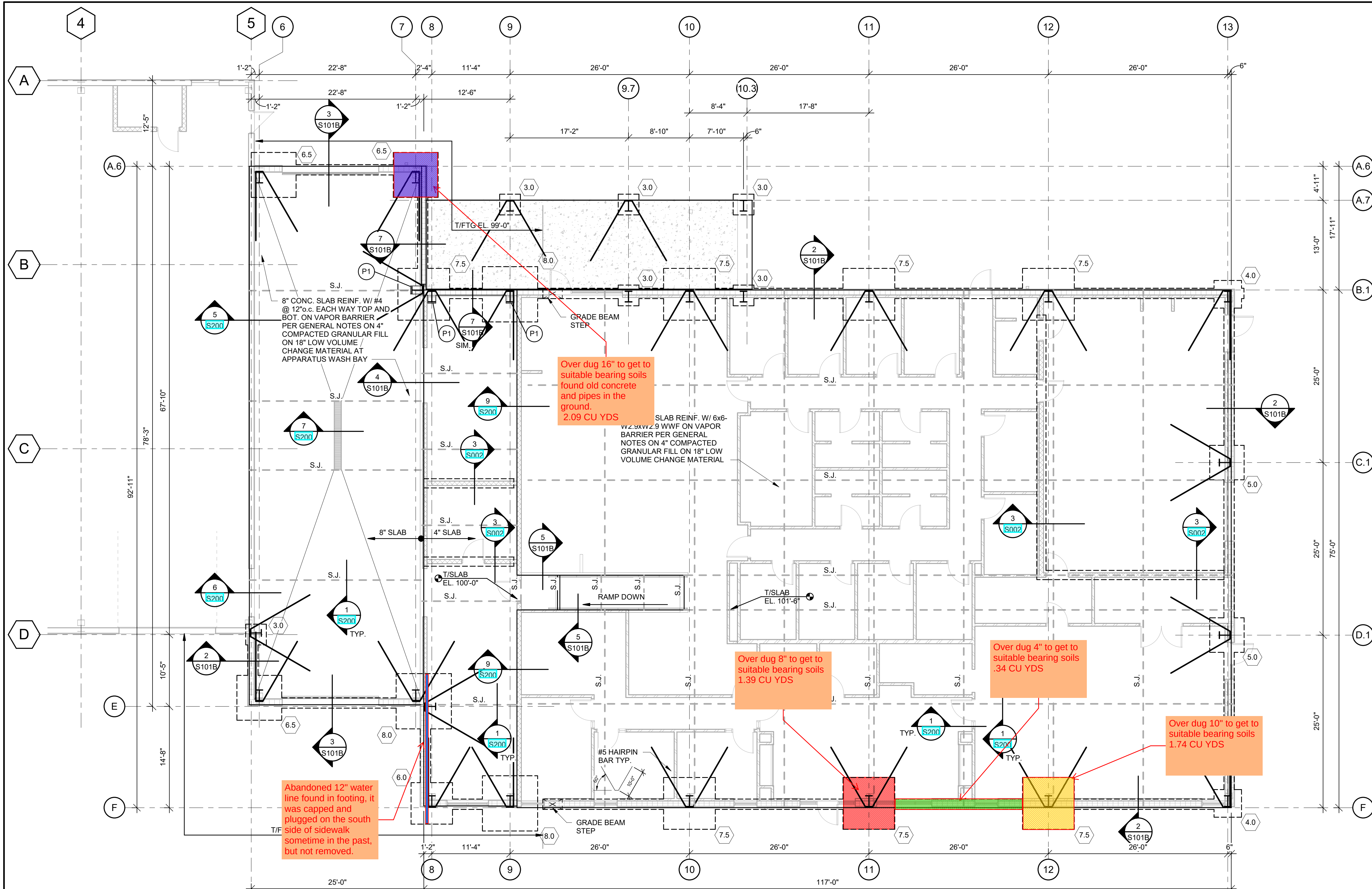
SIGNATURE DATE

SIGNATURE DATE

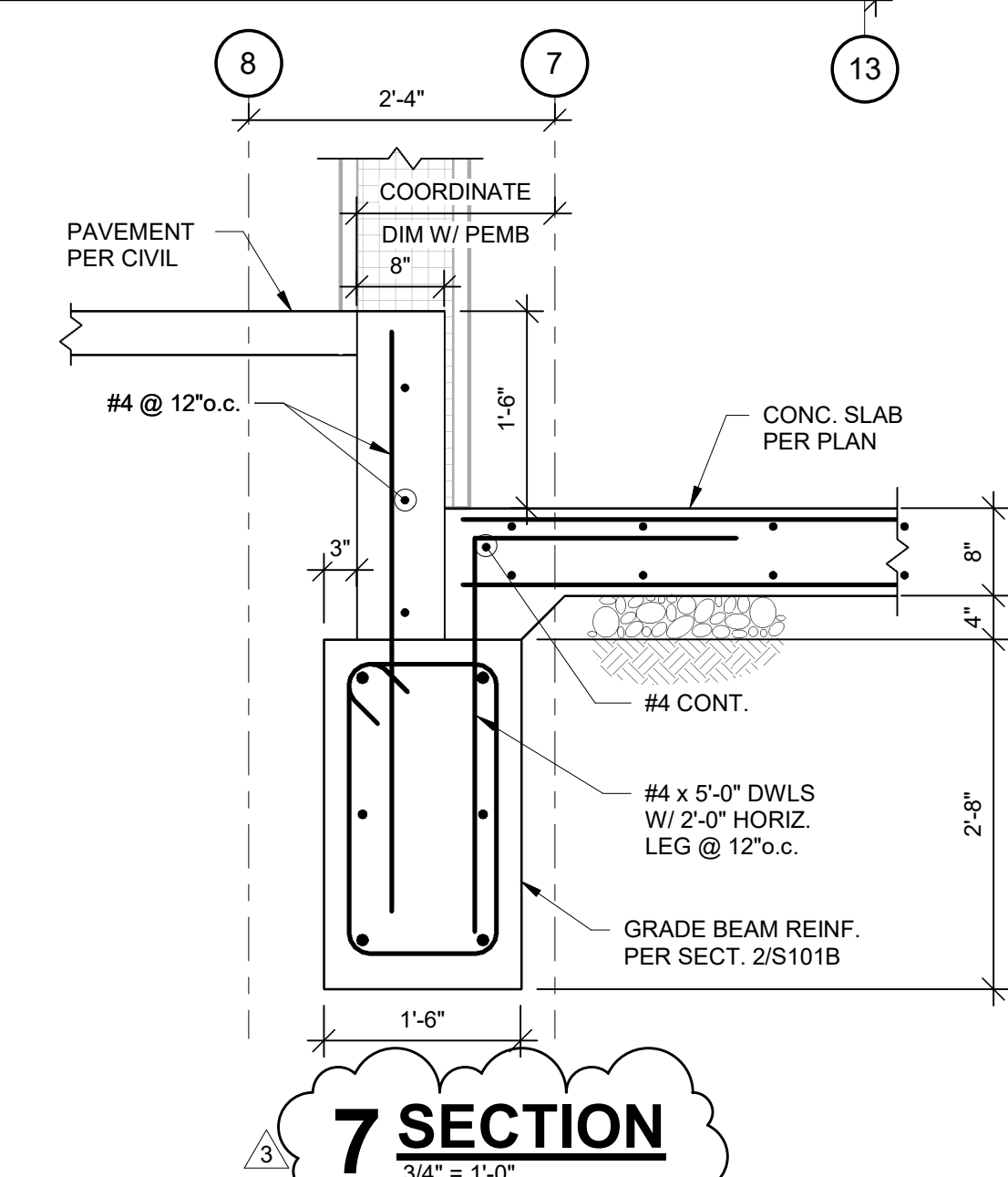
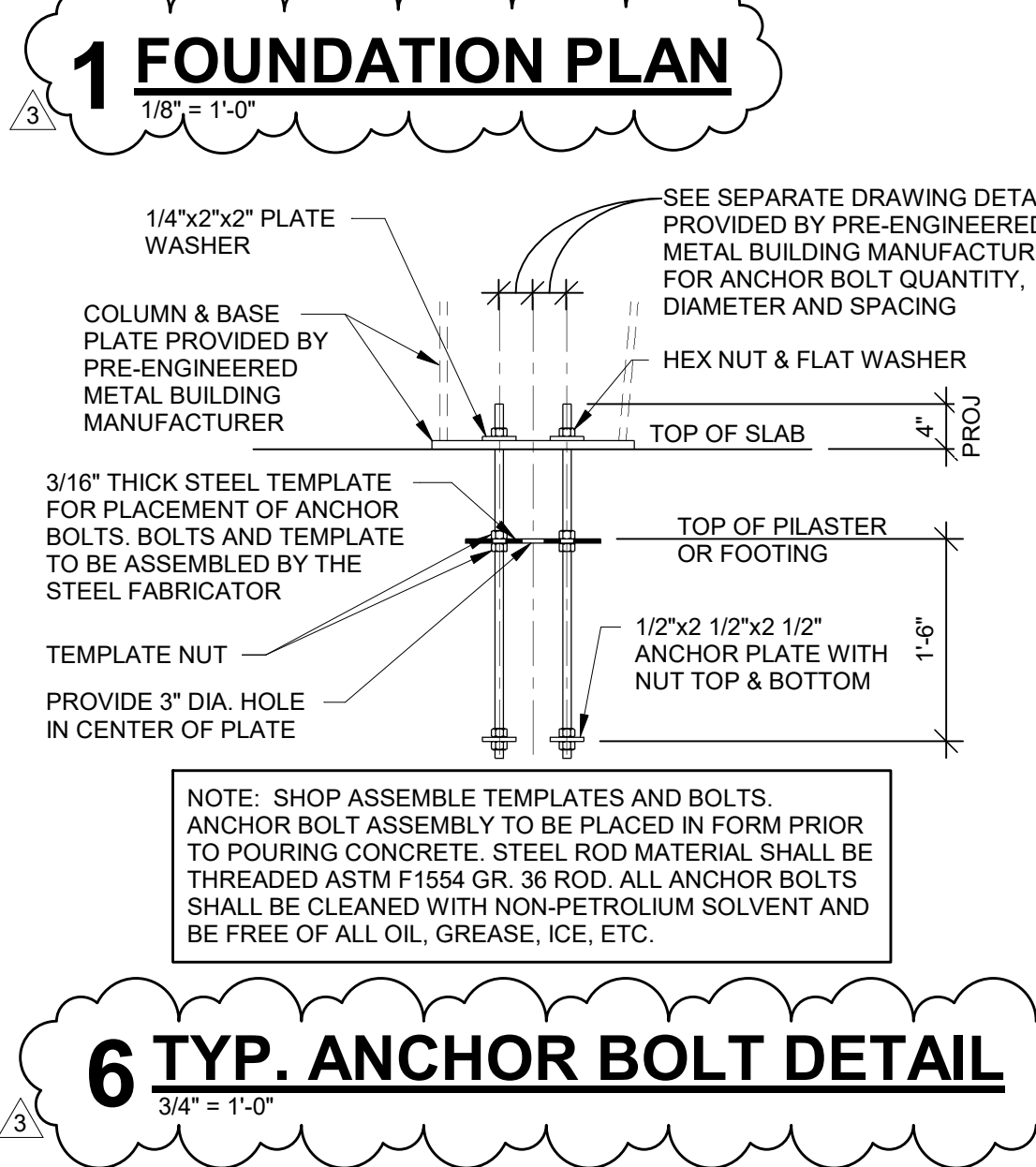
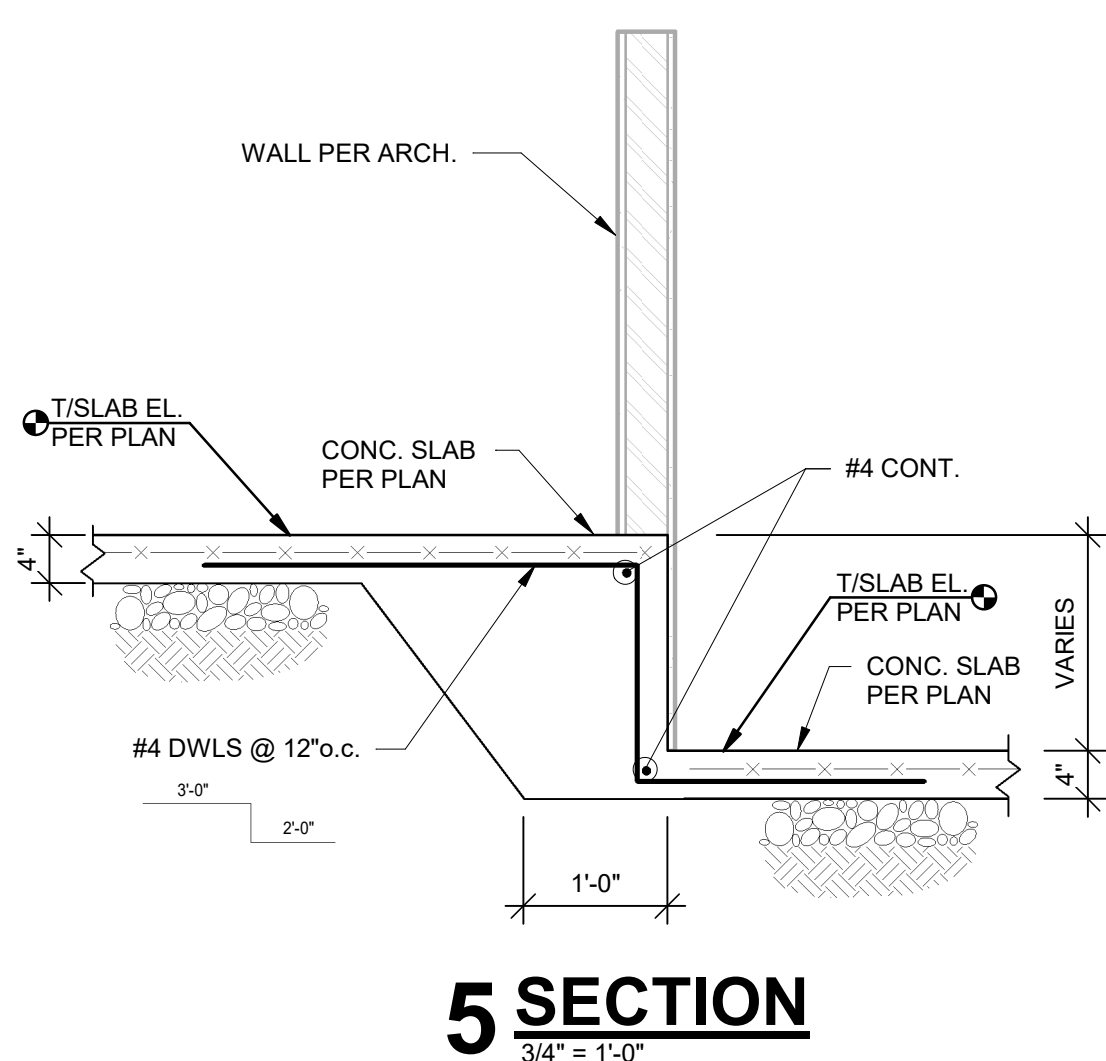
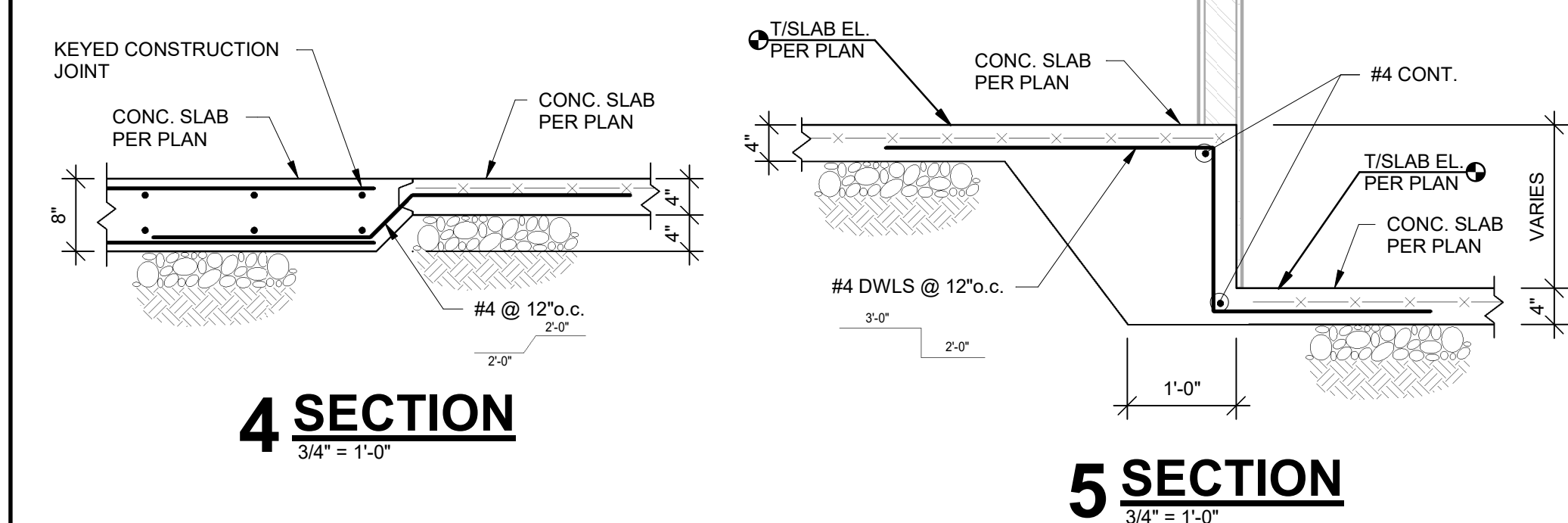
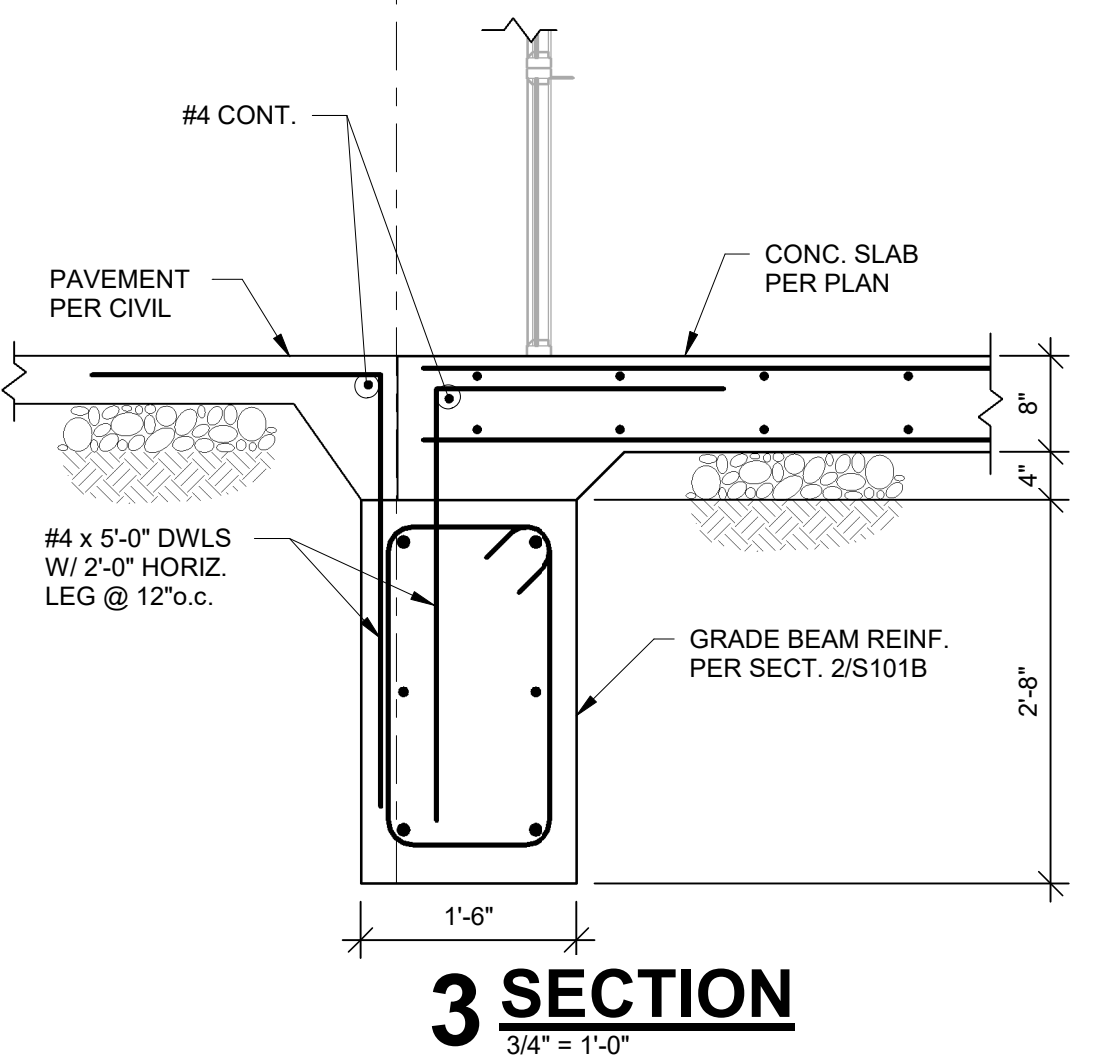
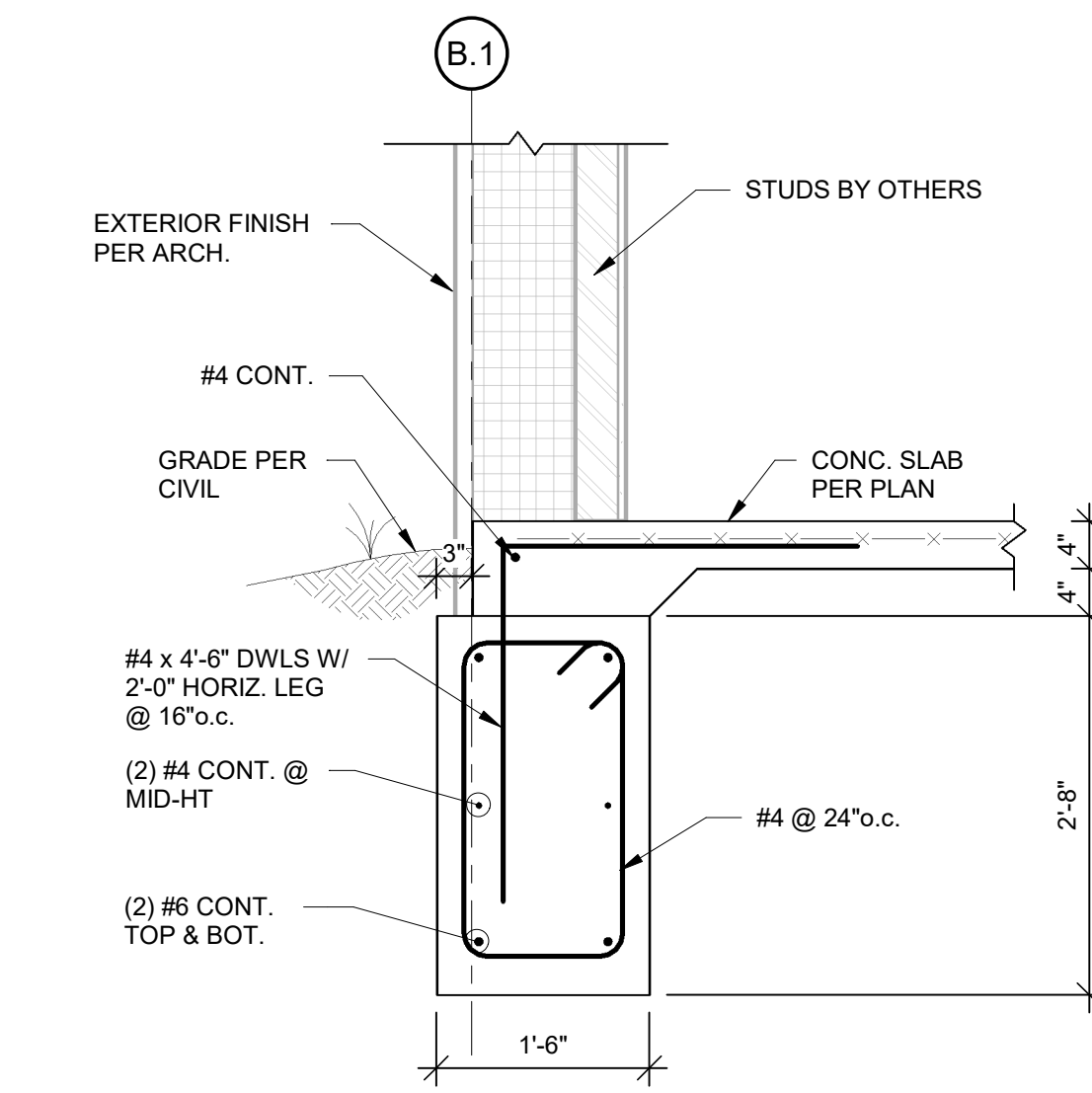
SIGNATURE DATE

DocuSigned by:
Mitch Binns 6/30/2022 | 2:31 PM

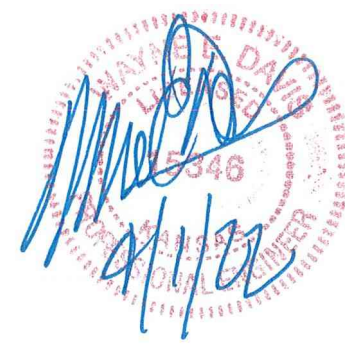
SIGNATURE DATE



- NOTES:
- 1) REFER TO GENERAL NOTES ON SHEET S101B
 - 2) TOP OF FOOTING EL. 101'-0" TO U.N.C.
 - 3) COLUMN ANCHOR BOLTS TO BE 3/4" Ø PER DETAIL 6/S101B
 - 4) DOOR FRAME BOLTS TO BE 5/8" Ø W/ 6" EMBEDMENT IN SLAB AND 2" END HOOK. PROVIDE 5/8" EPOXY ANCHORS W/ 6" EMBEDMENT AT CONTRACTOR'S OPTION
- P1 16"x12" CONCRETE PILASTER REINFORCED W/ (4) #7 VERTICAL DWLS TO FOOTING AND #3 TIES SPACED 3@3'-0" c. TOP & REMAINDER @ 12'-0" c. T/PLASTER = EL. 101'-6"



Structural Foundation Schedule					
NOTE:					
1) EXTERIOR FOOTINGS OR FOOTING AT GRADE BEAM SHALL MATCH GRADE BEAM DEPTH AND BE PLACED WITH GRADE BEAM. PROVIDE SPECIFIED REBAR TOP AND BOTTOM WITH 4 STANDEES TO SUPPORT MATS.					
2) PROVIDE REINFORCING PER SCHEDULE EACH WAY IN TOP AND BOTTOM OF FOOTING					
3) CENTER FOOTINGS ON COLUMNS AND/OR WALL CENTER LINES PER PLAN UNLESS NOTED OTHERWISE (U.N.O.).					
Type Mark	Length	Width	Footing Thickness	Reinf. Bars	Quantity each way Top & Bottom
3.0	3'-0"	3'-0"	2'-8"	Rebar : # 4	6
4.0	4'-0"	4'-0"	2'-8"	Rebar : # 4	7
5.0	5'-0"	5'-0"	2'-8"	Rebar : # 5	8
6.0	6'-0"	6'-0"	2'-8"	Rebar : # 5	8
6.5	6'-6"	6'-6"	2'-8"	Rebar : # 6	7
7.5	7'-6"	7'-6"	2'-8"	Rebar : # 6	9
8.0	8'-0"	8'-0"	2'-8"	Rebar : # 7	9



TREANORHL
1811 Baltimore Avenue
Kansas City, Missouri 64108
Tel: 816.221.4820
Fax: 816.221.4892
www.TreanorHL.com

CITY OF INDEPENDENCE, KANSAS
FIRE AND EMS STATION
924 W MYRTLE ST
INDEPENDENCE, KANSAS 67301



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Issued For: CONSTRUCTION
Date: 11/18/21

REVISIONS		
NO	DESCRIPTION	DATE
3	ASI 02	04-01-22

S101B
FOUNDATION PLAN - AREA B
TreanorHL NO.



4503 East 47th St. South
Wichita, KS 67210
Phone: 316-554-0725

Soil Bearing Report

Report #: SB-000002
REVISED Comment

Client:

City of Independence
811 W. Laurel St.
Independence, KS 67301

Project:

2272101
Independence Fire and EMS
924 W. Myrtle St.
Independence, KS

Transmitted via e-mail

GSI Engineering, LLC (GSI) performed static cone penetrometer testing at the referenced project site. The results are summarized below.

Date Tested	GSI Technician
06/13/2022	Brandon Martin

Footing Type	Location Details	Soil Description	Specification (psf)	Pass
Exterior	GL F from 8 to 13	Yellowish brown lean clay	2500	Yes
Exterior	GL E from 6 to 7	Yellowish brown lean clay	2500	Yes
Exterior	GL A.8 from 6 to 7	Yellowish brown lean clay	2500	Yes
Exterior	GL B.1 from 8 to 9	Yellowish brown lean clay	2500	Yes

Geotechnical Report Prepared By: GSI Engineering

Comments:

GL 11 and 12 at F were excavated 15" below bottom of footing and met bearing. GL A.8 at 7 was excavated 15" below bottom of footing and met bearing. Revision: Concrete was used to fill the over excavated area

Please contact our office if you have any questions, or if you would like further information.

Signed by Taylor Boone
Project Manager



**REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
July 14, 2022**

Department Finance

Director Approval Lacey Lies

AGENDA ITEM Consider providing direction to the Economic Development Advisory Board regarding whether or not you wish them to develop a policy for gap financing.

SUMMARY RECOMMENDATION Provide direction to the Economic Development Advisory Board regarding Gap Financing.

BACKGROUND The Economic Development Advisory Board has received a request for financing that greatly exceeds the amount allowed in the Business Incentive Policy which provides a certain amount per employee for businesses that qualify. If the Commission wishes to entertain financing above and beyond what the current Business Incentive Policy allows, it is recommended that a gap financing program be established. Gap financing would be a new program that will take time to develop. It is anticipated that it will need to be restrictive and targeted to certain businesses the City believes are vital to improving economic development. Chair Chuck Goad would like to know if this is something the Commission is interested in adopting and funding before the board spends a great deal of time developing a gap financing policy and process.

FINANCIAL INFORMATION These types of programs would be funded through the Economic Development Fund, which derives its revenues from franchise fees.

SUGGESTED MOTION Suggested motions:

Opt 1: I move to direct the Economic Development Advisory Board to develop a gap financing program.

Opt 2: I move to advise the Economic Development Advisory Board that the Commission is not currently interested in adopting and funding a gap financing program.

SUPPORTING DOCUMENTS



REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
July 14, 2022

Department Admin

Director Approval David Cowan, CYNTHIA
NUTT

AGENDA ITEM Consider all feasible and prudent alternatives to the proposed demolition of 300 North 8th Street.

SUMMARY RECOMMENDATION City Staff recommends finding that there are no feasible and prudent alternatives to the proposed demolition of 300 N. 8th Street.

BACKGROUND The City of Independence has been working with developers to invest in our historical downtown. These investments would bring the potential for new upper-story housing and business opportunities as buildings are renovated in our downtown district. Housing in the City of Independence and the State of Kansas continues to be a priority as there is a shortage of housing in rural communities. Governor Laura Kelly signed House Bill 2237 on May 5, 2022 to provide investments and incentives for residential development in rural areas of Kansas. April Nutt, Housing Director, has been aggressively working to implement the RHID and other incentives along with working with multiple development companies on potential new housing projects in the City of Independence.

In the process of marketing downtown and working with developers, it was evident that additional parking would be needed as upper housing development occurs. The City staff reviewed the downtown area for potential sites for additional parking that would not harm the historic downtown. The City Staff located the property at 300 N. 8th Street and found that the property was not on the list of historical buildings or considered a contributor to the downtown historic district. 300 N. 8th Street was built in 1958 and replaced the Elk's Club which was destroyed by a fire. The building's purpose was for a restaurant under several different names and styles until October 2016, when utilities were disconnected. A modern design, the building has multiple floor levels inside without ADA accessibility.

The site in the 300 block of North 8th also has a parking lot and vacant lot that is owned by the City. The parking lot and green space are currently used for parking and Farmer's Market activities. If approved, the removal of 300 North 8th, would be leveled with the green space to the north and put back to grass. This space would be utilized for Farmer's Market or other downtown activities until needed for additional parking.

The downtown historical district requires the City to inform the local IHPRC committee of our intention to remove a structure. On May 24, 2022 the IHPRC Chair was notified of our request to remove 300 N. 8th. Since the building is not a historical structure or a contributor to the downtown district, City Staff anticipated they would oppose but there would not be any historical issues. However, City Staff was then notified that the State Historical Office had redesignated the building as a contributor to the downtown historic district. This was done without owner notification or due process by the local IHPRC or SHPO. On June 27, 2022 City Staff presented our plan for demolition of the building which was opposed by the IHPRC

on a 6 to 1 vote. The denial is an attached document.

In order for the City to proceed, the staff is required to present to the Commission all relevant factors, that there is no feasible and prudent alternative to the proposal and that the project includes all possible planning to minimize harm to the historic property. As stated previously, the structure was last occupied in 2016 and has been vacant since that time. The building's modern design and accessibility issues are primary factors in the building being vacant. A conservative estimate to address the ADA accessibility issues is \$150,000.00. This would address access, egress, and accessibility to the three levels via ramps and an elevator. The roof of the building has failed and is in need of replacement at an estimated cost between \$125,000.00 to \$175,000.00 depending on the substructure's condition at the time of removal. The kitchen was removed, and the replacement of a commercial kitchen is estimated to be between \$150,000 to \$300,000. These issues do not address the water damage and mold throughout the building that would require an interior gut and replacement of sheetrock, framing, and other water damage infrastructure. Conservatively, without including the interior gut and repair, the estimated cost to renovate this building is \$425,000.00. The City Staff feels there is no feasible and prudent alternative to the proposed demolition and that removing the structure and returning it back to a green space or a future parking location will not harm the historic district or surrounding properties. The City Staff also pointed out that this property was not considered a historic structure or a contributor to the historic downtown district until after the purchase when the City notified the local IHPRC and State of our intentions to remove the structure and return it to green space.

If the City Commission approves the request to remove the structure. City Staff will be required to send the SHPO a certified letter informing them of the decision to allow the demolition and the statute allows anyone aggrieved by the Governing Body's determination to file suit and have the issue decided in the courts.

Sean Clapp, the local IHPRC chair will be present at the meeting to represent the IHPRC and SHPO's denial of the request.

FINANCIAL INFORMATION The demolition fund would be utilized for the cost of removal of the structure and returning to a green space.

SUGGESTED MOTION Motion Option 1:

After considering all information received and all relevant factors, and after considering all possible planning and alternatives to minimize harm to the property, I move that a finding be made that there is no feasible and prudent alternative to the proposed demolition and to authorize demolition of the property at 300 N. 8th Street.

Motion Option 2:

After considering all information received and all relevant factors, and after considering all possible planning and alternatives to minimize harm to the property, I move that a finding be made that there is a feasible and prudent alternative to the proposed demolition and deny demolition of the property at 300 N. 8th Street.

SUPPORTING DOCUMENTS

1. Independence Historic Resource Commission 300 N. 8th Review Email Sent on June 27, 2022
2. Photo - IMG_1428
3. Photo - IMG_1433
4. Photo - IMG_1435
5. Photo - IMG_1437
6. Photo - IMG_1438
7. Photo - IMG_1440
8. Photo - IMG_1441
9. Photo - IMG_1443
10. Photo - IMG_1444
11. Photo - IMG_1445
12. Photo - IMG_1446
13. Photo - IMG_1448
14. Email Sent on July 7, 2022 Regarding City of Independence - Commission Meeting July 14, 2022

From: [Sean Clapp, AIA](#)
To: [David Cowan](#)
Cc: [Tomhoffert](#)
Subject: Independence Historic Resource Commission 300 N. 8th review
Date: Monday, June 27, 2022 1:24:32 PM

David:

The independence Historic Resource Commission has determined that the demo request for 300 N. 8th would “damage or destroy” a character defining feature or structure by demolishing the building overall. The commission voted 6-1 in this decision. If the City’s intent is to take this denial to the City Commission to be overturned by the Commission, please be sure that the following regulations are noted before and during the City Commission meeting.

In advance of the investigation and hearing, please review the Kansas Preservation Act regulations K.A.R. 118-3-1 through 118-3-16, especially the definitions in 118-3-1:

(i) “Program includes all possible planning” means that the written evidence and materials submitted by a governmental entity to the state historic preservation officer clearly identify all alternative solutions that have been investigated, compare the differences among the alternative solutions and their effects, and describe mitigation measures proposed by the project proponent that address an adverse effect determination of the state historic preservation officer.

(j) “Relevant factors” means pertinent information submitted by project proponents or project opponents in written form, including evidence supporting their positions. (Authorized by K.S.A. 75-2721(b); implementing K.S.A. 75-2724; effective, T-118-5-1-98, May 1, 1998; effective Oct. 23, 1998.)

If after the investigation and hearing the city council finds no alternatives and verifies that all planning has been done to minimize harm to this building and its neighbors, the city is then required to give five days’ notice of such determination, by certified mail, to the SHPO before issuing the permit for work. That notice should include a written copy of the minutes of the meeting where the project was discussed, and a copy of all relevant written information upon which the city commission based its decision. The statute allows anyone aggrieved by the governing body’s determination to file suit and have the issue decided in the courts.

Sean A. Clapp, AIA – Chair Independence Historic Resource Committee
Design Review Committee



06/20/2022



06/20/2022



06/20/2022



06/20/2022



06/20/2022



06/20/2022



06/20/2022



06/20/2022



06/20/2022



06/20/2022



06/20/2022



06/20/2022

From: [David Cowan](#)
To: [Sean Clapp, AIA](#); [Ringle, Katrina \[KSHS\]](#)
Subject: City of Independence - Commission Meeting July 14, 2022
Date: Thursday, July 7, 2022 6:20:39 AM

Sean & Katrina:

I am emailing you to remind you that on July 14, 2022, at 5:30 p.m. we will have an agenda item:

“Consider all feasible and prudent alternatives to the proposed demolition of 300 N. 8th Street”.

The Commission meeting is in the Civic Center and starts at 5:30 p.m. at 410 N. Penn Ave.
I’ve informed the commission that Sean Clapp, will be present to represent the local IHPRC and SHPO on this item.

If you have any questions, please feel free to contact me at any time.

Thanks,
David Cowan

David J. Cowan

Assistant City Manager-Director of Safety

davidc@independenceks.gov

P +1.620.332.2528 | **M** +1.620.330.0056 | **F** + 1.620.331.1628

City of Independence | 811 W. Laurel Street | Independence, Kansas 67301

www.independenceks.gov



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REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
July 14, 2022

Department Admin

Director Approval David Cowan

AGENDA ITEM Consider approving the low bid from MEGA, LLC for five demolitions.

SUMMARY RECOMMENDATION City staff recommends approving the low bid by MEGA, LLC.

BACKGROUND The City of Independence Building Department took bids for the removal of the following five properties:

1. 800 E. Edison is fire damaged and considered dangerous and unsafe and needs immediate removal (the State Fire Marshall requested the structure be immediately removed and due to the delay created by 300 N. 8th, the Building Inspector has already had this structure removed).
2. 701 E. Cherry is a trailer house that has collapsed and the property owner has applied for the City demolition grant and it has been approved.
3. 609 W. Myrtle is a fire-damaged property and the owner has signed a release to remove the property and reimburse the City.
4. 300 N. 8th Street is a property acquired by the City and has substantial roof issues and water infiltration into the building.
5. 1529 W. Laurel is a condemned trailer park with multiple trailers that have been vandalized and destroyed. The property is blighted and unable to be maintained due to the condition of the trailers.

The City of Independence received three bids for the demolition of the above properties:

- MEGA, LLC - \$100,500
- G&G Dozer - \$ 124,000
- JRB Ind. - \$202,500

The City Staff recommends awarding the demolition to MEGA, LLC for \$100,500.00. The cost of the demolition will be covered by the demolition fund.

FINANCIAL INFORMATION Funding will be from the City demolition fund account. The remaining balance after these transactions would be \$56,964.47.

SUGGESTED MOTION I move to award the demolition bid to MEGA, LLC for \$100,500.00 for 800 E. Edison, 701 E. Cherry, 609 W. Myrtle, 300 N. 8th, and 1529 W. Laurel.

SUPPORTING DOCUMENTS

1. G & G Dozer
2. JRB Industries, INC
3. MEGA, LLC



BID FORM BUILDING DEMOLITION

We, the undersigned company, do hereby submit the following bid for the demolition and removal of all structures in accordance with the attached Contract Documents.

By submission of this bid, the bidder agrees that he has personally inspected all demolition sites, has personally read all Contract Documents and is aware of all requirements as contained in these Contract Documents.

Bids are to be submitted with a price for the demolition of each structure and for all locations combined. The City reserves the right to accept the bid based upon the lowest total bid per structure or for all structures combined.

The City reserves the right to accept or reject any or all bids or to waive any irregularities should they occur as may best benefit the City.

Bids shall be guaranteed for a period of sixty (60) days from the date set for receipt of bids.

The bid as received includes the value of any salvable material in the structure to be demolished.

Demolition work shall be completed within thirty (30) working days from the date of the Notice To Proceed.

Bidder agrees to do the following work:

1. Demolish all structures listed below.
2. Clear a lot of all trees, shrubs, fencing material. Unless a tree is marked with a ribbon it shall be removed from the lot.
3. Comply with all requirements for asbestos removal and disposal.
4. Haul the demolition material to a KDH&E approved landfill site and abide by all Federal and State Asbestos Regulations. (The City demolition site will not be used for this project.)
5. Sewer line shall be capped or plugged in a watertight method and **inspected** by the City.
6. All addresses shall be **seeded with grass** prior to the completion of the job.



7. BID SCHEDULE

Alternative Bids Permitted: A bidder may submit a bid on each individual property or may submit one bid for all the properties combined, or do both. When submitting a bid on all properties combined, the bidder must itemize the cost of demolition as to each property so the City can pass the cost on to the property owner as allowed by law.

A. Individual Bids:

1. 800 E. Edison \$4,800⁰⁰
2. 701 E. Cherry \$1,200⁰⁰
3. 609 W. Myrtle \$5,800⁰⁰
4. 300 N. 8th \$67,200⁰⁰
5. 1529 W. Laurel (all) \$45,000⁰⁰
6. 1529 W. Laurel - per Trailer \$2,500⁰⁰

Total: _____

B. Combined Bid:

1. \$4,800⁰⁰
2. \$1,200⁰⁰
3. \$5,800⁰⁰
4. \$67,200⁰⁰
5. \$45,000⁰⁰
6. \$2,500⁰⁰

Total: _____

If a bidder improperly withdraws a bid or refuses to honor a bid that has been awarded by the City, the bidder shall not be eligible to bid on any City projects for a period of one (1) year thereafter.

G + G Dozer

Name of Bidder (Printed)

1875 Highway 75 North
Address Caney, KS 67333

Signature Gary Gorby

Date _____

Owner

Title

Office Cell
620-879-5243 / 620-515-5240
Contact Phone Number Gary Gorby

City of Independence is Responsible for the Inspection and Removal of the Asbestos.
For as this bid does not include Inspection for, or abatement or removal of hazardous materials,
Including but not limited to Asbestos.



G&GDOZER01

GSMITH

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

5/18/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER NDB - Coffeyville 812 W. 11th Street P.O. Box 494 Coffeyville, KS 67337		CONTACT NAME: PHONE (A/C, No, Ext): (620) 251-1970 FAX (A/C, No): (620) 331-0849 E-MAIL ADDRESS:	
		INSURER(S) AFFORDING COVERAGE	
		INSURER A : AMERICAN FINANCIAL GROUP	
		INSURER B : Century Surety Company	
		INSURER C : Carolina Casualty Insurance Company	
		INSURER D :	
		INSURER E :	
		INSURER F :	

INSURED
G & G Dozer Company LLC
Gary Gorby
PO Box 6
1875 HWY 75 North
Caney, KS 67333

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☒ PROJECT ☐ LOC ☐ OTHER:			04-GL-001065098	8/10/2021	8/10/2022	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 GEN AG APPLIES \$
A	AUTOMOBILE LIABILITY ☐ ANY AUTO OWNED AUTOS ONLY ☒ HIRED AUTOS ONLY ☒ SCHEDULED AUTOS ☒ NON-OWNED AUTOS ONLY			06-CA-002844391	8/10/2021	8/10/2022	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
B	☒ UMBRELLA LIAB ☒ OCCUR ☐ EXCESS LIAB ☐ CLAIMS-MADE ☐ DED ☐ RETENTION \$			CCP996494	8/10/2021	8/10/2022	EACH OCCURRENCE \$ 2,000,000 AGGREGATE \$ Aggregate \$ 2,000,000
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N Y	N/A	BNUWC0110817	8/10/2021	8/10/2022	PER STATUTE OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER

City of Independence
811 W. Laurel St.
Independence, KS 67301

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE



BID FORM BUILDING DEMOLITION

We, the undersigned company, do hereby submit the following bid for the demolition and removal of all structures in accordance with the attached Contract Documents.

By submission of this bid, the bidder agrees that he has personally inspected all demolition sites, has personally read all Contract Documents and is aware of all requirements as contained in these Contract Documents.

Bids are to be submitted with a price for the demolition of each structure and for all locations combined. The City reserves the right to accept the bid based upon the lowest total bid per structure or for all structures combined.

The City reserves the right to accept or reject any or all bids or to waive any irregularities should they occur as may best benefit the City.

Bids shall be guaranteed for a period of sixty (60) days from the date set for receipt of bids.

The bid as received includes the value of any salvable material in the structure to be demolished.

Demolition work shall be completed within thirty (30) working days from the date of the Notice To Proceed.

Bidder agrees to do the following work:

1. Demolish all structures listed below.
2. Clear a lot of all trees, shrubs, fencing material. Unless a tree is marked with a ribbon it shall be removed from the lot.
3. Comply with all requirements for asbestos removal and disposal.
4. Haul the demolition material to a KDH&E approved landfill site and abide by all Federal and State Asbestos Regulations. (The City demolition site will not be used for this project.)
5. Sewer line shall be capped or plugged in a watertight method and **inspected** by the City.
6. All addresses shall be **seeded with grass** prior to the completion of the job.

7. BID SCHEDULE

Alternative Bids Permitted: A bidder may submit a bid on each individual property or may submit one bid for all the properties combined, or do both. When submitting a bid on all properties combined, the bidder must itemize the cost of demolition as to each property so the City can pass the cost on to the property owner as allowed by law.

A. Individual Bids:

1. 800 E. Edison 4,000⁰⁰/
2. 701 E. Cherry 3,500⁰⁰/
3. 609 W. Myrtle 5,000⁰⁰/
4. 300 N. 8th 120,000⁰⁰/
5. 1529 W. Laurel (all) 85,000⁰⁰/
6. 1529 W. Laurel - per Trailer 4,500⁰⁰/

Total:

\$ 217,500⁰⁰/

B. Combined Bid:

1. 4,000⁰⁰/
2. 3,500⁰⁰/
3. 5,000⁰⁰/
4. 110,000⁰⁰/
5. 80,000⁰⁰/
6. 4,500⁰⁰/

Total:

202,500⁰⁰/

If a bidder improperly withdraws a bid or refuses to honor a bid that has been awarded by the City, the bidder shall not be eligible to bid on any City projects for a period of one (1) year thereafter.

JRB Industries, Inc.
Name of Bidder (Printed)

P.O. Box 603 Parsons, Ks. 67357
Address

James R. Beachner
Signature

May 19, 2022
Date

Pres.
Title

620-423-1070
Contact Phone Number
jamesbeachner@gmail.com



BID FORM BUILDING DEMOLITION

We, the undersigned company, do hereby submit the following bid for the demolition and removal of all structures in accordance with the attached Contract Documents.

By submission of this bid, the bidder agrees that he has personally inspected all demolition sites, has personally read all Contract Documents and is aware of all requirements as contained in these Contract Documents.

Bids are to be submitted with a price for the demolition of each structure and for all locations combined. The City reserves the right to accept the bid based upon the lowest total bid per structure or for all structures combined.

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The bid as received includes the value of any salvable material in the structure to be demolished.

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1. Demolish all structures listed below.
2. Clear a lot of all trees, shrubs, fencing material. Unless a tree is marked with a ribbon it shall be removed from the lot.
3. Comply with all requirements for asbestos removal and disposal.
4. Haul the demolition material to a KDH&E approved landfill site and abide by all Federal and State Asbestos Regulations. (The City demolition site will not be used for this project.)
5. Sewer line shall be capped or plugged in a watertight method and **inspected** by the City.
6. All addresses shall be **seeded with grass** prior to the completion of the job.



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A. Individual Bids:

1. 800 E. Edison _____
2. 701 E. Cherry _____
3. 609 W. Myrtle _____
4. 300 N. 8th _____
5. 1529 W. Laurel (all) _____
6. 1529 W. Laurel – per Trailer _____

Total: _____

B. Combined Bid:

1. 3000⁰⁰
2. 3000⁰⁰
3. 4500⁰⁰
4. 42,000
5. 48,000
6. _____

Total: _____

If a bidder improperly withdraws a bid or refuses to honor a bid that has been awarded by the City, the bidder shall not be eligible to bid on any City projects for a period of one (1) year thereafter.

MEGA LLC
Name of Bidder (Printed)

2950 & 3800
Address

[Signature]
Signature

5-19-22
Date

OWNER
Title

620-331-9209
Contact Phone Number



REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
July 14, 2022

Department Admin

Director Approval David Cowan

AGENDA ITEM Consider approving an agreement with Midwest Auctions, LLC for online auction services for surplus items.

SUMMARY RECOMMENDATION City Staff recommends an agreement for online auction services from Midwest Auctions, LLC

BACKGROUND The City requested proposals for a vendor or firm to provide online auction services for tangible personal property including but not limited to miscellaneous surplus equipment, a wooden bar, light fixtures, office furniture, computers, monitors, printers, scanners, tools, equipment, tables, chairs and miscellaneous items.

FINANCIAL INFORMATION

SUGGESTED MOTION I move that we accept the agreement with Midwest Auctions, LLC for online auction services for tangible personal property.

SUPPORTING DOCUMENTS

1. Response to RFP

Midwest Auctions, LLC
On-Line Auction Agreement
Personal Property

Midwest Auctions, LLC and the seller, City of Independence, Kansas approve this agreement on (date)_____. Under terms of this agreement, Midwest Auctions and the seller both agree to abide by the following conditions and requirements. The agreement may be amended or terminated by either party at any time, so long as each party agrees to the change and so long as all terms are legal and completed as agreed upon. Midwest Auctions will conduct the sale of the personal property at auction for the seller located at (address)_____ to close on Sunday, July 10, 2022 with loadout completed by July 11th

The auction fee is 25% commission on gross sales. Print advertising will be facilitated by Midwest Auctions. Print advertising is done in the Good News. Digital media advertising including email and Facebook will also be provided. Trash disposal is at the seller's expense. All items advertised for bidding must be available for purchase and pickup. A commission fee will be assessed for any advertised items pulled from the auction. Midwest Auctions will not be responsible for any accidents, theft, broken or damaged items. Seller is advised to provide sufficient insurance to cover any liability claims. Midwest Auctions carries a \$1 million-dollar liability insurance policy for additional coverage.

The website for buyer registration and bidding is: www.biddinghereonline.com

Settlement:

All sales money will be collected by Midwest Auctions. A final Net Proceeds payment will be made to the seller within 10 business days. Midwest Auctions assumes responsibility for all payments collected from the buyers.

Both parties below understand and agree to the terms and conditions outlined above.

Auctioneer:  Date: 5-18-22
Geo Sterling Eisele

Seller(s) _____

Date: _____



"Delivering Excellence"

Email: eiseleauctions@gmail.com

Types of services provided by the firm:

On-line auction service

CONTRACTOR'S ACKNOWLEDGEMENT OF COMPLIANCE WITH INSURANCE REQUIREMENTS FOR AUCTIONEER SERVICES REQUEST FOR PROPOSALS Auctioneer agrees, acknowledges and is fully aware of the insurance requirements as specified in Insurance Requirements of the Request for Proposals for Auctioneering Services, and accepts all conditions and requirements as contained therein.

Auctioneer: Geo. Sterling Eisele - Midwest Auctions

Name (Please Print) By: Geo. Sterling Eisele

Auctioneer's Signature Date: [Signature] 5-18-22

This executed form must be submitted with proposal.

To: City of Independence

Ref.: Auctioneer Services

Having carefully examined all the specifications and requirements of this RFP and any attachments thereto, the undersigned proposes to furnish the On-line Auctioneer Services as required per the aforementioned documents at the below quoted terms.

Pricing Schedule

Sales Commission percentage: 25%

Buyers Premium —

Payment Terms

Respondent may offer additional payment term options and discounts.

Respectfully submitted, By: Geo Eisele Date: 5-18-22

[Signature]
(Authorized Signature)

RFP Proposal – Online Auction - Tangible Assets

Midwest Auctions
Geo. Sterling Eisele
Owner/Auctioneer
620-779-5659

Proposal Outline:

1. Advertising:
 - a. Good News Paper Ad
 - b. Facebook – Marketplace ads are posted in the surrounding area, other swap sites in targeted areas of SEKS and including Tulsa, Joplin and Wichita. Company Facebook page.
 - c. Email Distribution List – Last batch report included approximately 3800 registered buyers.
 - d. Flyers – research has shown in the past several years that they have been ineffective for bringing buyers to the table.
2. Auction Process / Staff –
 - a. I will inventory all the sellable items on the property including photographs and a typewritten Title and description
 - i. I generally have 1 staff person to assist with taking notes during the inventory process.
 - b. The date will be uploaded to our website (www.biddinghereonline.com)
 - c. The auction will be scheduled to run for 1 week, Monday-Sunday.
 - d. Buyers will be allowed a “Preview” or “Inspection” day on Thursday, the day of the auction.
 - i. I will have at least one staff person available during the preview time to assist bidders with questions, locating items and registration/participation questions.
 - e. The Auction will close out in a staggered delayed time Sunday evening.
 - f. Winning bidders will pay and pick up their items on Monday between the scheduled times.
 - i. I will have 1 cashier to collect payments
 - ii. I will have 1 staff person to assist buyers with locating and collecting their items.Any demolition/mechanical removal will be at the buyer’s expense and risk.
3. Staff – My staff are all part time independent contractors and change regularly based on their availability. At this time, I could not say which of them may be available. All of them are trained for their specific duties by me personally to assist buyers in a quick, efficient and professional manner.
4. Completion of the project: I would plan to have the premises emptied by Monday, July 11th. With my current schedule, that would allow me time to properly inventory, advertise and complete the sale. With July 4th falling on a Monday, we will lose a week for that.
5. All other requested information is to the best of my knowledge attached/included on the additional documents attached to this file, and/or my own contract.



"Delivering Excellence"

PURPOSE OF THIS REQUEST FOR PROPOSAL

The City seeks a vendor or firm to provide online auction services for tangible personal property. The tangible property includes but is not limited to miscellaneous surplus equipment, includes but is not limited to a wooden bar, light fixtures, office furniture, computers, monitors, printers, scanners, tools, equipment, tables, chairs and miscellaneous items.

SCOPE OF WORK

Contractor shall provide the following online auction services:

1. Be responsible and supply all hardware, software, servers and IT Equipment needed to operate the online auction services.
2. Provide all security systems, anti-virus and firewalls capable of preventing the hacking of any auction information from the auction servers, capable of preventing the assimilation or distribution of viruses and other programs and learning the identity of bidders.
3. Provide all support including email and telephone support needed to operate the auction site. Live 24/7 support via online chat, email or toll-free phone.
4. Assume all costs of a secure hosting facility to operate the online auction system and allow the City full access to the account. The City will not be required to install any additional computer hardware or software at their location.
5. Maintain and upgrade the hardware and software that the Contractor provides over the term of this Agreement.
6. Items are sold as is to the bidder, and they are responsible for picking up and loading the item within 72 hours of the sale.
7. Must be properly licensed and insured. The Contractor shall provide proof of required licensing, as applicable in the State of Kansas, including all applicable licensure and bonding for the proposed services at the time of contracting.
8. Provide regular marketing services to improve revenue.
9. Provide contingency plans to backup information and recover information and have a disaster recovery plan that covers internet failure, electricity failure or any other system failure.
10. Must create a listing in a timely fashion
11. Visit all designated site(s) to sort, filter, inventory, take pictures and catalog all items for online auction.
12. Provide a complete account of items from pick up to final sale or disposition. The Contractor shall supply a report regarding all items sold.
13. Be responsible for working with the successful bidder to ensure they are getting the correct items they bid on and help them load it onto their vehicle. The vendor will give the successful bidders not more than 3 days to pick up their item(s).
14. Collecting money and reimbursement to the City.
15. Collect and process all taxes.



"Delivering Excellence"

4. List of Subcontractors and the degree of work, if any that is to be subcontracted.
5. Complete Pricing and Delivery Schedule for the on-line auction service. The percentage offered for auctioneering services shall be expressed as a commission percentage to be retained by the auctioneer for the public sale of certain City of Independence surplus property and will be rendered firm for the contract term. The selected auctioneer will be required to enter into a formal standard agreement with the City.
6. The Auctioneer will agree to send the final sales report and a company check in an amount equal to total gross sales less commission not later than ten (10) working days after the sale is concluded

SUMMARY SHEET

Firm Name: Midwest Auctions

Firm Parent or Ownership: _____

Firm Address: 115 E Main, Independence Ks 67301

Firm Telephone Number: 620 779 5659

Firm Fax Number: _____

Number of years in existence: 11

Management Contact (person responsible for direct contact with City of Independence and services required for this Request for Qualifications):

Name: Geo. Eisele Title: 620 779 5659

Telephone Number: 620 779 5659 Fax: _____

Email: eiseleauctions@gmail.com

Project Manager (Person responsible for day-to-day servicing of the account):

Name: Geo Eisele Title: Owner

Telephone Number: 620 779 5659 Fax: _____



MIDWAUC-01

MSAMORA

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

5/13/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

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PRODUCER NDB - Neodesha 414 Main Street P.O. Box 269 Neodesha, KS 66757	CONTACT NAME: Maura Samora		
	PHONE (A/C, No, Ext): (620) 331-3700	FAX (A/C, No):	
	E-MAIL ADDRESS: maura@ndb-insurance.com		
INSURED Midwest Auctions, LLC PO Box 191 115 E Main Independence, KS 67301	INSURER(S) AFFORDING COVERAGE		NAIC #
	INSURER A : STATE AUTOMOBILE MUTUAL INSURANCE COMPANY		25135
	INSURER B :		
	INSURER C :		
	INSURER D :		
	INSURER E :		
	INSURER F :		

COVERAGES**CERTIFICATE NUMBER:****REVISION NUMBER:**

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INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☐ PRO-JECT ☐ LOC OTHER:			SPP2479992	3/25/2022	3/25/2023	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
A	☒ AUTOMOBILE LIABILITY ☒ ANY AUTO OWNED AUTOS ONLY ☒ SCHEDULED AUTOS ☐ HIRED AUTOS ONLY ☐ NON-OWNED AUTOS ONLY			10124874CA	3/30/2022	3/30/2023	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	☐ UMBRELLA LIAB ☐ OCCUR ☐ EXCESS LIAB ☐ CLAIMS-MADE DED RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) ☐ Y / N If yes, describe under DESCRIPTION OF OPERATIONS below		N / A				PER STATUTE ☐ OTH-ER ☐ E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER**CANCELLATION**

City of Independence
811 W. Laurel St.
Independence, KS 67301

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Maura Samora



Kansas Insurance Identification Card

Call 877-SA-CLAIM to file a claim.

877-722-5246

X

State

Kansas

State Auto Issuing Company

State Automobile Mutual Insurance
Company

Policy Number **Effective Date**

10124874CA 03/30/2022

Expiration Date **NAIC #**

03/30/2023 25135

Year **Make/Model**

2013 RAM 2500

Vehicle ID Number

3C6TR4HT1DG583292

Name Insured

Midwest Auctions, LLC
PO BOX 191,
INDEPENDENCE, KS 67301

Agency / Company Issuing Card

NDB Insurance
Po Box 547
Independence, KS 67301
(620) 331-3700



**REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
July 14, 2022**

Department Admin

Director Approval David Cowan

AGENDA ITEM Consider setting the date of September 22, 2022 at 5:30 PM for a Public Hearing to consider the condemnation of 217 South Earl Street as dangerous and unsafe.

SUMMARY RECOMMENDATION City staff recommends setting the date of September 22, 2022 at 5:30 p.m.

BACKGROUND On June 08, 2022 the single-family residential structure located at 217 South Earl Street was involved in a fire that extensively damaged the dwelling which is currently not habitable. Dennis Musgrove, owner of the property, does have insurance and the City has received proceeds towards the demolition of the property. Mr. Musgrove is working with Jim Beachner to remove the structure and is considering his options regarding the garage. It is City policy to clear a lot of all structures, concrete, including drives, leaving the residential sidewalk on City right-of-way.

FINANCIAL INFORMATION Cost of removal if the owner does not commence repair or removal.

SUGGESTED MOTION I move to set September 22, 2022 at 5:30 PM for a Public Hearing to consider the condemnation of 217 S. Earl Street as dangerous and unsafe.

SUPPORTING DOCUMENTS

1. Photo - 20220608_071055
2. Photo - 20220608_070847
3. Photo - 20220608_070856
4. Photo - 20220608_071122
5. Photo - 20220608_071548
6. Photo - 20220608_071600
7. Photo - 20220608_072630
8. Parcel Information
9. Letter to Musgrove, Dennis - Set P-H 06282022
10. RESOLUTION 2022-029 - CONDEMNATION - PH - 217 S Earl Street















Print Page

These Links May Require Adobe Acrobat Reader, Click [here](#) to Download it.[View Sketch](#) --- [Back to Search Page](#) --- [Home](#)

The Parcel Number for this Property is 063-099-31-0-10-22-018.00-0
Quick Ref ID: 6699

Owner Information

Owner Name	MUSGROVE, DENNIS D & JUANITA A JONES
Address	1021 BIRDIE DR INDEPENDENCE, KS 67301

Property Situs Address

Address	217 S EARL ST, Independence, KS 67301
----------------	---------------------------------------

Land Based Classification System

Function	Single family residence (detached)
Activity	Household activities
Ownership	Private-fee simple
Site	Developed site - with buildings

General Property Information

Prop Class	Residential - R
Living Units	1
Zoning	
Neighborhood	108.F
Tax Unit Group	108

Property Factors

Topography	Level - 1
Utilities	All Public - 1
Access	Paved Road - 1
Fronting	Residential Street - 4
Location	Neighborhood or Spot - 6
Parking Type	On and Off Street - 3
Parking Quantity	Adequate - 2
Parking Proximity	On Site - 3
Parking Covered	
Parking Uncovered	

2022 Appraised Value

Class	Land	Building	Total
Residential - R	4,480	28,410	32,890
Total	4,480	28,410	32,890

2021 Appraised Value

Class	Land	Building	Total
Residential - R	3,360	25,240	28,600
Total	3,360	25,240	28,600

Tract Description

CHANEYS ADD, S31, T32, R16, BLOCK 3, Lot 5,6, 8547 SQUARE FEET, Lot Width 100' Lot Depth 88.5' Plat Book/Page 6 /1 Deed Book/Page 683 /448
 600 /136 268 /402

Deed Information

Book1	Page1	Book2	Page2	Book3	Page3	Book4	Page4
683	448	646	91	600	136	683	448

Market Land Information

Method	Type	AC/SF	Eff FF	Depth	D-Fact	Inf1	Fact1	Inf2	Fact2	Ovrd	Class	Value Est
Sqft	Primary Site - 1	8547										4,480

Dwelling Information

Dwelling Information		Comp Sales Information	
Res Type	Single-family Residence	Arch Style	Bungalow
Quality	FR+	Bsmt Type	Crawl - 2
Year Built	1915	Total Rooms	6
Eff Year		Bedrooms	3
MS Style	One Story	Family Rooms	
LBCSStruct	Detached SFR unit	Full Baths	1
No. of Units		Half Baths	
Total Living Area		Garage Cap	
Calculated Area	1,344	Foundation	Block - 3
Main Floor Living Area	1,344		
Upper Floor Living Area Pct.			
CDU	FR		
Phys/Func/Econ	AV-/ /		
Ovr Pct Gd/RCN	/116,570		
Remodel			
Percent Complete			
Assessment Class			
MU Cls/Pct			

Dwelling Components

Code	Units	Pct	Quality	Year
Raised Slab Porch (SF) with Roof	224			
Frame, Siding, Wood		100		
Composition Shingle		100		
Raised Subfloor (% or SF)		100		
Floor Furnace		100		
Plumbing Fixtures (#)	5			
Plumbing Rough-ins (#)	1			
Automatic Floor Cover Allowance				

Building Improvements

Id	Occupancy	MSCls	Rank	Qty	Yr Blt	Eff Yr	LBCS	Area	Perim	Hgt	Dimensions	Stories	Phys	Func	Econ	OVR%	Rsn	Cls	RCN	%Gd	Value
09	Residential Garage - Detached	D	1.00	1	1975			720	108	8	30 X 24	1	3	3					14,710	27	3,970

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June 28, 2022

Dennis Musgrove
1021 Birdie Dr.
Independence, Ks. 67301

Dear Mr. Musgrove,

I am writing to inform you that the City of Independence will be asking the commission on July 14, 2022, at 5:30 p.m. to set a Public Hearing on September 08, 2022, at 5:30 p.m. The Public Hearing will consider the condemnation of the property as dangerous and unsafe at 217 S. Earl St.

The City of Independence has received insurance proceedings for removing the structures and clearing the lot at 217 S. Earl. Please obtain a demo permit from the City Clerk's office if you move forward with demolition. After demolition and clearing is completed, the City will inspect and then refund the proceedings to you.

Failure to remove the structures or commence repair by September 08, 2022, the City will conduct a hearing to consider condemnation of the property as dangerous and unsafe.

Please be aware that the property is not habitable, and we've received complaints that the garage is occupied as a residence. Please take the necessary efforts to secure the property and ensure that occupancy is not occurring on the property.

If you have any questions or concerns, please contact me at 620.330.0056 or davidc@independenceks.gov

Thank You,

David Cowan, Building Inspector

RESOLUTION NO. 2022-029

A RESOLUTION FIXING A TIME AND PLACE AND PROVIDING FOR NOTICE OF HEARING BEFORE THE GOVERNING BODY OF THE CITY OF INDEPENDENCE, KANSAS, OF WHICH OWNERS, OWNERS AGENTS, LIEN HOLDERS OF RECORD AND ANY OCCUPANTS, IF ANY, OF THE STRUCTURE OR STRUCTURES IDENTIFIED BELOW, IN SAID CITY MAY APPEAR AND SHOW CAUSE WHY SAID STRUCTURE OR STRUCTURES SHOULD NOT BE CONDEMNED AND ORDERED REPAIRED OR DEMOLISHED PURSUANT TO K.S.A. 12-1751 ET. SEQ.

WHEREAS, the enforcing officer of the City of Independence, Kansas, did on the 14th day of July 2022, file with the Governing body of said City, statements and reports in writing that the structure or structures located on said properties hereinafter described are unsafe and/or dangerous:

Legal: Block 3, Lot 5 and 6 of the Chaney's Addition to the City of Independence, Montgomery County, Kansas

Common Address: 217 S Earl Street

Mortgage:

NOW, THEREFORE, be it resolved by the Governing Body of the City of Independence, Kansas:

That a public hearing will be held on Thursday, **September 22, 2022** before the Governing Body of the City of Independence, Kansas, at **5:30 p.m.**, in the Civic Center, Memorial Hall, Penn Ave. and Locust Streets, Independence, Kansas, at which time the owner, the owners agent, any lien holders of record and any occupant of the structure or structures located on the properties described herein, may appear and show cause why such structure or structures should not be condemned as unsafe and/or dangerous and ordered repaired or removed.

Be it further resolved that the City Clerk shall cause this Resolution to be published one time each week for two consecutive weeks on the same day of each week, that at least thirty (30) days shall elapse between the last publication and the date set for hearing and the City Clerk shall give notice of the aforesaid hearing in the manner provided by Ordinance and by law.

Be it further resolved by the Governing Body of the City of Independence that its authority for the actions set forth herein is established pursuant to K.S.A. 12-1751 ET. SEQ.

Adopted this 14th day of July 2022.

(SEAL)

Mayor

City Clerk



**REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
July 14, 2022**

Department Admin

Director Approval David Cowan

AGENDA ITEM Consider setting the date of September 22, 2022 at 5:30 PM for a Public Hearing to consider the condemnation of 414 South 14th Street as dangerous and unsafe.

SUMMARY RECOMMENDATION City Staff Recommends setting the date of September 22, 2022 for public hearing to consider the condemnation of 414 S. 14th Street as dangerous and unsafe.

BACKGROUND On April 08, 2022, the single-family residential structure located at 414 South 14th Street was involved in a fire that extensively damaged the dwelling which is currently not habitable. Due to a publication error, the City Staff needs to start the process over and set the date of September 22, 2022 for a Public Hearing to consider the structure dangerous and unsafe. City staff did visit with the owner and discussed releasing the structure for demolition but the owner refused to release the property for demolition.

FINANCIAL INFORMATION The cost of demolition if the property owner does not commence repair or removal of the structure.

SUGGESTED MOTION I move to set the date of September 22, 2022 at 5:30 p.m. for a Public Hearing to consider the condemnation of 414 S0. 14th as dangerous and unsafe.

SUPPORTING DOCUMENTS

1. Photo - 20220408_124120
2. Photo - 20220408_124027
3. Photo - 20220408_124127
4. Photo - 20220408_124139
5. Photo - 20220408_124140
6. Photo - 20220408_124143
7. Photo - 20220408_125214
8. Photo - 20220408_125217
9. Photo - 20220408_125231
10. Photo - 20220408_125225
11. Photo - 20220408_125221
12. Photo - 20220408_125808
13. Parcel Information
14. Resolution 2022-015
15. Sandra Villalobos - PH 414 S. 14th - Letter 06282022
16. 414 S. 14th - Notice of Condemnation Hearing 07072022
17. RESOLUTION 2022-030 - CONDEMNATION - PH - 414 S 14th

























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The Parcel Number for this Property is 063-087-36-0-10-36-004.00-0
Quick Ref ID: 4102

Owner Information

Owner Name	VILLOBOS DE REYES, SANDRA
Address	414 S 14TH INDEPENDENCE, KS 67301

Property Situs Address

Address	414 S 14TH ST, Independence, KS 67301
----------------	---------------------------------------

Land Based Classification System

Function	Single family residence (detached)
Activity	Household activities
Ownership	Private-fee simple
Site	Developed site - with buildings

General Property Information

Prop Class	Residential - R
Living Units	1
Zoning	
Neighborhood	108.F
Tax Unit Group	108

Property Factors

Topography	Level - 1
Utilities	All Public - 1
Access	Paved Road - 1 Alley - 7
Fronting	Residential Street - 4
Location	Neighborhood or Spot - 6
Parking Type	On and Off Street - 3
Parking Quantity	Adequate - 2
Parking Proximity	On Site - 3
Parking Covered	
Parking Uncovered	

2022 Appraised Value

Class	Land	Building	Total
Residential - R	3,900	26,200	30,100
Total	3,900	26,200	30,100

2021 Appraised Value

Class	Land	Building	Total
Residential - R	2,250	24,750	27,000
Total	2,250	24,750	27,000

Tract Description

GLENWOOD ADD, S36, T32, R15, LOT 12 EX E 10' FOR ALLEY; Lot Width: 027.8 Lot Depth: 108.0 Plat Book/Page A /5 Lot Width: 027.8 Lot Depth: 108.0 Deed Book/Page 595 /27 389 /455 389 /454 348 /201

Deed Information

Book1	Page1	Book2	Page2	Book3	Page3	Book4	Page4
595	27	570	701	595	27 3		

Market Land Information

Method	Type	AC/SF	Eff FF	Depth	D-Fact	Inf1	Fact1	Inf2	Fact2	Ovrd	Class	Value Est
Sqft	Primary Site - 1	5290										3,900

Dwelling Information

Dwelling Information		Comp Sales Information	
Res Type	Single-family Residence	Arch Style	Bungalow
Quality	AV-	Bsmt Type	Crawl - 2
Year Built	1900	Total Rooms	6
Eff Year		Bedrooms	3
MS Style	One Story	Family Rooms	
LBCS Struct	Detached SFR unit	Full Baths	1
No. of Units		Half Baths	
Total Living Area		Garage Cap	
Calculated Area	1,228	Foundation	Stone - 4
Main Floor Living Area	1,228		
Upper Floor Living Area Pct.			
CDU	FR		
Phys/Func/Econ	AV+ / /		
Ovr Pct Gd/RCN	/110,810		
Remodel			
Percent Complete			
Assessment Class			
MU Cls/Pct			

Dwelling Components

Code	Units	Pct	Quality	Year
Raised Slab Porch (SF) with Roof	88			
Frame, Siding, Vinyl		100		
Composition Shingle		100		
Raised Subfloor (% or SF)		100		
Plumbing Fixtures (#)	5			
Plumbing Rough-ins (#)	1			
Automatic Floor Cover Allowance				
Open Slab Porch (SF)	270		2	1950
Wall Furnace		100		

Building Improvements

Id	Occupancy	MSCIs	Rank	Qty	Yr Blt	Eff Yr	LBCS	Area	Perim	Hgt	Dimensions	Stories	Phys	Func	Econ	OVR%	Rsn	Clis	RCN	%Gd	Value
79	Prefabricated Storage Shed	D	1.00	1	1960			360		8		1	3						4,730	15	710

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RESOLUTION NO. 2022-015

A RESOLUTION FIXING A TIME AND PLACE AND PROVIDING FOR NOTICE OF HEARING BEFORE THE GOVERNING BODY OF THE CITY OF INDEPENDENCE, KANSAS, OF WHICH OWNERS, OWNERS AGENTS, LIEN HOLDERS OF RECORD AND ANY OCCUPANTS, IF ANY, OF THE STRUCTURE OR STRUCTURES IDENTIFIED BELOW, IN SAID CITY MAY APPEAR AND SHOW CAUSE WHY SAID STRUCTURE OR STRUCTURES SHOULD NOT BE CONDEMNED AND ORDERED REPAIRED OR DEMOLISHED PURSUANT TO K.S.A. 12-1751 ET. SEQ.

WHEREAS, the enforcing officer of the City of Independence, Kansas, did on the 28th day of April 2022, file with the Governing body of said City, statements and reports in writing that the structure or structures located on said properties hereinafter described are unsafe and/or dangerous:

Legal: Lot 12 excluding the East 10' for Alley. of the Glenwood Addition to the City of Independence, Montgomery County, Kansas

Common Address: 414 S 14th St.

Mortgage:

NOW, THEREFORE, be it resolved by the Governing Body of the City of Independence, Kansas:

That a public hearing will be held on Thursday, **July 14, 2022** before the Governing Body of the City of Independence, Kansas, at **5:30 p.m.**, in the Civic Center, Memorial Hall, Penn Ave. and Locust Streets, Independence, Kansas, at which time the owner, the owners agent, any lien holders of record and any occupant of the structure or structures located on the properties described herein, may appear and show cause why such structure or structures should not be condemned as unsafe and/or dangerous and ordered repaired or removed.

Be it further resolved that the City Clerk shall cause this Resolution to be published one time each week for two consecutive weeks on the same day of each week, that at least thirty (30) days shall elapse between the last publication and the date set for hearing and the City Clerk shall give notice of the aforesaid hearing in the manner provided by Ordinance and by law.

Be it further resolved by the Governing Body of the City of Independence that its authority for the actions set forth herein is established pursuant to K.S.A. 12-1751 ET. SEQ.

Adopted this 28th day of April 2022.

(SEAL)

Mayor

City Clerk



June 28, 2022

Sandra Villalobos
301 N. 11th
Independence, Kansas 67301

Dear Ms. Villalobos,

I am writing to inform out that the City of Independence will be conducting a Public Hearing on July 14, 2022, at 5:30 p.m. to consider the condemnation of 414 So. 14th as dangerous and unsafe.

As the property owner, you have the right to speak to the commission at the Public Hearing regarding this property.

Please contact the building inspector at 620.330.0056 or davidc@independenceks.gov with the following information.

1. Timeline of repairs if you wish to repair
2. Demolition of the property if the property is considered a total loss
3. Insurance information

Failure to respond or to be present at the meeting, the City staff, will recommend 414 S. 14th be condemned as dangerous and unsafe. Failure to respond will result in the City seeking bids and clearing the lot. If approved by the commission, you will have 30 days to commence repair or removal of the structures. All costs associated with the property's removal will be the property owner's responsibility.

Thanks,

David Cowan, Building Inspector



July 7, 2022

Sandra Villalobos
301 N. 11th
Independence, Ks. 67301

Dear Ms. Villalobos,

I am writing to inform you that the City of Independence will be asking the Commission on July 14, 2022, at 5:30 p.m. to set a Public Hearing on September 22, 2022, at 5:30 p.m. The Public Hearing will be to consider condemnation of the property as dangerous and unsafe at 414 S. 14th.

Please contact the building inspector at 620.330.0056 or davidc@independenceks.gov with the following information.

1. Timeline of repairs or demolition
2. Insurance information

Thank You,

David Cowan, Building Inspector
City of Independence Kansas

RESOLUTION NO. 2022-030

A RESOLUTION FIXING A TIME AND PLACE AND PROVIDING FOR NOTICE OF HEARING BEFORE THE GOVERNING BODY OF THE CITY OF INDEPENDENCE, KANSAS, OF WHICH OWNERS, OWNERS AGENTS, LIEN HOLDERS OF RECORD AND ANY OCCUPANTS, IF ANY, OF THE STRUCTURE OR STRUCTURES IDENTIFIED BELOW, IN SAID CITY MAY APPEAR AND SHOW CAUSE WHY SAID STRUCTURE OR STRUCTURES SHOULD NOT BE CONDEMNED AND ORDERED REPAIRED OR DEMOLISHED PURSUANT TO K.S.A. 12-1751 ET. SEQ.

WHEREAS, the enforcing officer of the City of Independence, Kansas, did on the 14th day of July 2022, file with the Governing body of said City, statements and reports in writing that the structure or structures located on said properties hereinafter described are unsafe and/or dangerous:

Legal: Lot 12 excluding the East 10' for Alley. of the Glenwood Addition to the City of Independence, Montgomery County, Kansas

Common Address: 414 S 14th St.

Mortgage:

NOW, THEREFORE, be it resolved by the Governing Body of the City of Independence, Kansas:

That a public hearing will be held on Thursday, **September 22, 2022** before the Governing Body of the City of Independence, Kansas, at **5:30 p.m.**, in the Civic Center, Memorial Hall, Penn Ave. and Locust Streets, Independence, Kansas, at which time the owner, the owners agent, any lien holders of record and any occupant of the structure or structures located on the properties described herein, may appear and show cause why such structure or structures should not be condemned as unsafe and/or dangerous and ordered repaired or removed.

Be it further resolved that the City Clerk shall cause this Resolution to be published one time each week for two consecutive weeks on the same day of each week, that at least thirty (30) days shall elapse between the last publication and the date set for hearing and the City Clerk shall give notice of the aforesaid hearing in the manner provided by Ordinance and by law.

Be it further resolved by the Governing Body of the City of Independence that its authority for the actions set forth herein is established pursuant to K.S.A. 12-1751 ET. SEQ.

Adopted this 14th day of July 2022.

(SEAL)

Mayor

City Clerk



**REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
July 14, 2022**

Department Admin

Director Approval David Cowan

AGENDA ITEM Consider a resolution authorizing the abatement of unhealthy and unsafe exterior conditions 314 South 4th Street.

SUMMARY RECOMMENDATION City Staff recommends the Commission approve the Resolution to abate 314 South 4th Street.

BACKGROUND Code Enforcement Officer Erin Musgrove has been attempting to resolve a nuisance issue at 314 S. 4th Street since October 2021. Code Enforcement Officer Musgrove has made multiple attempts to have the tenant and the owner abate the nuisance, including three violation notices and one summons to court. The previous resident and current owner have failed to respond to notices from Code Enforcement. The owner was cited to court on July 1, 2022. The City staff are receiving weekly calls from neighbors related to the nuisance and the hazard in the neighborhood. The resident has been cited in court, but the court appearance is scheduled for August 2022. The City Staff is asking the Commission to approve the Resolution giving us the authority to abate the nuisance in 20 days.

FINANCIAL INFORMATION The budget impact would be the abatement of this nuisance that would be assessed to the property owner.

SUGGESTED MOTION I move to adopt a resolution authorizing the abatement of unhealthy and unsafe conditions at 314 South 4th Street.

SUPPORTING DOCUMENTS

1. City-abatement consent- 314 S. 4th - Final
2. Parcel - 314 S. 4th
3. Attachments - 314 S 4th
4. Resolution 2022-031 - Nuisance Abatement - 314 S 4th

**CONSENT TO ABATEMENT
OF EXTERIOR YARD CONDITIONS
WHICH ARE UNHEALTHY AND UNSAFE**

COME NOW, Sequoia P. Dee and Larissa L. Dee and agree to the following:

1. Sequoia P. Dee and Larissa L. Dee are the owners and occupants of the following described real estate:

Lot 7, Block 75, Original, City of Independence, Montgomery County, Kansas (commonly known as 314 South 4th, Independence, Kansas

2. Sequoia P. Dee has been issued two separate notices for violation of City Code 42-66 concerning the exterior condition of the yard at 314 South 4th on March 4, 2022, and June 8, 2022.

3. Sequoia P. Dee and Larissa L. Dee hereby consent to abatement of the exterior condition of the yard at 314 South 4th which will entail removal of all unhealthy and unsafe trash, debris, abandoned motor vehicle parts, appliances and other rubbish located thereon which are in violation of City Code 42-66.

4. Sequoia P. Dee and Larissa L. Dee acknowledge and understand that they will be contacted prior to the abatement process and that they will remove from the exterior yard of 314 South 4th any property which they feel is valuable and which they wish to retain, and further that any property left in the yard at 314 South 4th may be presumed by the City, its agents and employees, to be rubbish and debris in violation of City Code 42-66, subject to abatement by the City, and may be immediately disposed of by the City.

5. Sequoia P. Dee and Larissa L. Dee hereby waive any and all claims of liability for injury and/or damages against the City, its agents and employees, arising from abatement of the

exterior condition of their yard, and agree to indemnify and hold harmless the City, its agents and employees from the same.

6. Sequoia P. Dee and Larissa L. Dee understand that the cost of abatement may be assessed by the City against them as owners of the property in the same manner as taxes are assessed against property.

7. Sequoia P. Dee and Larissa L. Dee acknowledge that they have the right to seek the advice of independent counsel and have executed this consent knowingly and voluntarily.

DATE

SEQUOIA P. DEE

DATE

LARISSA L. DEE

DATE

WITNESS SIGNATURE
Printed Name:_____

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The Parcel Number for this Property is 063-099-31-0-20-29-003.00-0
Quick Ref ID: 7154

Owner Information

Owner Name	DEE, SEQUOIA P & LARISSA L
Address	314 S 4TH ST INDEPENDENCE, KS 67301

Property Situs Address

Address	314 S 4TH ST, Independence, KS 67301
----------------	--------------------------------------

Land Based Classification System

Function	Single family residence (detached)
Activity	Household activities
Ownership	Private-fee simple
Site	Developed site - with buildings

General Property Information

Prop Class	Residential - R
Living Units	1
Zoning	
Neighborhood	108.A
Tax Unit Group	108

Property Factors

Topography	Level - 1
Utilities	All Public - 1
Access	Paved Road - 1 Alley - 7
Fronting	Residential Street - 4
Location	Neighborhood or Spot - 6
Parking Type	On and Off Street - 3
Parking Quantity	Adequate - 2
Parking Proximity	On Site - 3
Parking Covered	
Parking Uncovered	

2022 Appraised Value

Class	Land	Building	Total
Residential - R	11,070	78,140	89,210
Total	11,070	78,140	89,210

2021 Appraised Value

Class	Land	Building	Total
Residential - R	6,880	70,690	77,570
Total	6,880	70,690	77,570

Tract Description

ORIG PLAT, S31, T32, R16, BLOCK 75, Lot 7, Lot Width: 060.0 Lot Depth: 140.0 Plat Book/Page 1 /6&7 Deed Book/Page 682 /569 639 /1304 540 /542 538 /372 515 /589 488 /580 488 /579 470 /041 408 /505 383 /385 383 /015 338 /392

Deed Information

Book1	Page1	Book2	Page2	Book3	Page3	Book4	Page4
682	569	586	81				

Market Land Information

Method	Type	AC/SF	Eff FF	Depth	D-Fact	Inf1	Fact1	Inf2	Fact2	Ovrd	Class	Value Est
Sqft	Primary Site - 1	8400										11,070

Dwelling Information

Dwelling Information		Comp Sales Information	
Res Type	Single-family Residence	Arch Style	Old Style
Quality	AV+	Bsmt Type	Crawl - 2
Year Built	1890	Total Rooms	8
Eff Year		Bedrooms	4
MS Style	Two Story	Family Rooms	
LBCSStruct	Detached SFR unit	Full Baths	2
No. of Units		Half Baths	
Total Living Area		Garage Cap	
Calculated Area	2,750	Foundation	Stone - 4
Main Floor Living Area	1,279		
Upper Floor Living Area Pct.	115		
CDU	AV		
Phys/Func/Econ	FR/ /		
Ovr Pct Gd/RCN	/289,490		
Remodel	STEP IN SHOWER		
Percent Complete			
Assessment Class			
MU Cls/Pct			

Dwelling Components

Code	Units	Pct	Quality	Year
Wood Deck (SF) with Roof	548			
Enclosed Wood Deck (SF), Solid Wall	220			
Carport, Gable Roof (SF)	140			
Wood Deck (SF) with Roof	60		1	
Frame, Siding, Wood		100		
Composition Shingle		100		
Total Basement Area (SF)	364			

Raised Subfloor (% or SF)		100		
Warmed & Cooled Air		100		
Plumbing Fixtures (#)	9			
Plumbing Rough-ins (#)	1			
Automatic Floor Cover Allowance				
Raised Slab Porch (SF)	54		3	1970

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CE 12-1431

R 7154 - 29499

8/3



Court

Notice of Violation

7/5 Reminded him
he cannot rent property
need to get mess cleaned up
First!

State of Kansas
County of Montgomery
City of Independence

You are hereby notified that on the 01 day of Jul, 2022 at 02:36 (p.m. – a.m.) The undersigned Public Officer

conducted an inspection of the following property:
Property Owner: DEE, SEQUOIA

Legal Description: _____

Owner Address: 314 S 4TH ST

INDEPENDENCE

KS

Violation Address: 314 S 4th

Said property is in violation of Sec. 42-66 of the Code of the City of Independence, Kansas:

☒ Subsection (1)(a)
☐ Subsection (1)(b)
☒ Subsection (1)(c)

☐ Subsection (2)(a)
☐ Subsection (2)(b)
☐ Subsection (2)(c)

Said property is in violation of Sec. 42-185 – Nuisance Code of the City of Independence, Kansas:

☐

Grass, weeds or other obnoxious vegetation more than 12"

Description of Violation: Pics for court.

ALLEVIATION OF VIOLATION

☐
☐
☐

You are hereby given ten (10) days from the receipt of notification or mailing to alleviate the violation.

You are hereby given fifteen (15) days from the receipt of notification or mailing to alleviate the violation.

You are hereby given forty-five (45) days from the receipt of notification or mailing to alleviate the violation.

You are further notified that you may request a hearing before the governing body concerning this matter. Said request must be made within fifteen (15) days of the receipt of notification of violation or the mailing of said notification.

FAILURE TO ALLEVIATE

Failure to alleviate said violation or request said hearing may result in your prosecution as provided for in Sec. 42-68 and/or the abatement of the condition by the City as provided for by Sec 42-69, with the cost of said abatement being assessed against you as provided for in Sec 42-73.

I hereby certify that a true and correct copy of the above notice of violation was (personally served) or (sent by certified mail) to: DEE, SEQUOIA on the 01 day of Jul at 2:36:18 PM (p.m. – a.m.) to said person.

Signature of Public Officer

7/1/2022

Date



CE22 1431 - R7154 - 29448

7/5

Notice of Violation

State of Kansas
County of Montgomery
City of Independence

7/6 - bpolb to him
Reminded he needed to clean up

You are hereby notified that on the 22 day of Jun, 2022 at 10:21 (p.m. - a.m.) The undersigned Public Officer conducted an inspection of the following property:

Property Owner: DEE, SEQUOIA
Legal Description: _____
Owner Address: 314 S 4TH ST INDEPENDENCE KS
Violation Address: 314 S 4th

Said property is in violation of Sec. 42-66 of the Code of the City of Independence, Kansas:

- | | |
|---|--|
| ☒ Subsection (1)(a) | ☐ Subsection (2)(a) |
| ☐ Subsection (1)(b) | ☐ Subsection (2)(b) |
| ☐ Subsection (1)(c) | ☐ Subsection (2)(c) |

Said property is in violation of Sec. 42-185 - Nuisance Code of the City of Independence, Kansas:

- ☐ Grass, weeds or other obnoxious vegetation more than 12"

Description of Violation: Debris in front and back needs to be removed from property. Looks much better out front. Still need to cut down all overgrown weeds and brush in back as well and get that crap out of the yard.

ALLEVIATION OF VIOLATION

- ☒ You are hereby given ten (10) days from the receipt of notification or mailing to alleviate the violation.
☐ You are hereby given fifteen (15) days from the receipt of notification or mailing to alleviate the violation.
☐ You are hereby given forty-five (45) days from the receipt of notification or mailing to alleviate the violation.

You are further notified that you may request a hearing before the governing body concerning this matter. Said request must be made within fifteen (15) days of the receipt of notification of violation or the mailing of said notification.

FAILURE TO ALLEVIATE

Failure to alleviate said violation or request said hearing may result in your prosecution as provided for in Sec. 42-68 and/or the abatement of the condition by the City as provided for by Sec 42-69, with the cost of said abatement being assessed against you as provided for in Sec 42-73.

I hereby certify that a true and correct copy of the above notice of violation was (personally served) or (sent by certified mail) to: DEE, SEQUOIA on the 22 day of Jun at 10:21:24 AM (p.m. - a.m.) to said person.

Signature of Public Officer 6/22/2022
Date



CE22 - 1431 - R7154

29368

6/20

mailed 6/8 9:43AM

Notice of Violation

State of Kansas
County of Montgomery
City of Independence

no change

You are hereby notified that on the 08 day of Jun, 2022 at 09:33 (p.m. – a.m.) The undersigned Public Officer conducted an inspection of the following property:

Property Owner: Sequoia Dee

Legal Description: _____

Owner Address: 314 S 4TH STINDEPENDENCE

KS

Violation Address: 314 S 4th

Said property is in violation of Sec. 42-66 of the Code of the City of Independence, Kansas:



Subsection (1)(a)



Subsection (1)(b)



Subsection (1)(c)



Subsection (2)(a)



Subsection (2)(b)



Subsection (2)(c)

Said property is in violation of Sec. 42-185 – Nuisance Code of the City of Independence, Kansas:



Grass, weeds or other obnoxious vegetation more than 12"

Description of Violation: Complaints! This is the third Notice of Violation for complaints about the personal property and trash in the yard. If not cleaned up by 6/20 I will be by with a citation into court. Final notice!

ALLEVIATION OF VIOLATION

You are hereby given ten (10) days from the receipt of notification or mailing to alleviate the violation.



You are hereby given fifteen (15) days from the receipt of notification or mailing to alleviate the violation.



You are hereby given forty-five (45) days from the receipt of notification or mailing to alleviate the violation.

You are further notified that you may request a hearing before the governing body concerning this matter. Said request must be made within fifteen (15) days of the receipt of notification of violation or the mailing of said notification.

FAILURE TO ALLEVIATE

Failure to alleviate said violation or request said hearing may result in your prosecution as provided for in Sec. 42-68 and/or the abatement of the condition by the City as provided for by Sec 42-69, with the cost of said abatement being assessed against you as provided for in Sec 42-73.

I hereby certify that a true and correct copy of the above notice of violation was (personally served) or (sent by certified mail) to: Sequoia Dee on the 08 day of Jun at 9:33:02 AM (p.m. – a.m.) to said person.

Signature of Public Officer6/8/2022_____
Date

222-1437- R 7654 29279 5/19



Notice of Violation

State of Kansas
County of Montgomery
City of Independence

no change

You are hereby notified that on the 04 day of May, 2022 at 07:50 (p.m. – a.m.) The undersigned Public Officer conducted an inspection of the following property:

Property Owner: DEE, SEQUOIA P & LARISSA L
Legal Description: _____
Owner Address: 314 S 4TH ST INDEPENDENCE KS
Violation Address: 314 S 4th

Said property is in violation of Sec. 42-66 of the Code of the City of Independence, Kansas:

- | | |
|---|--|
| ☒ Subsection (1)(a) | ☐ Subsection (2)(a) |
| ☐ Subsection (1)(b) | ☐ Subsection (2)(b) |
| ☒ Subsection (1)(c) | ☐ Subsection (2)(c) |

Said property is in violation of Sec. 42-185 – Nuisance Code of the City of Independence, Kansas:

- ☐ Grass, weeds or other obnoxious vegetation more than 12"

Description of Violation: **Second notice! Please get a roll-off th get this mess aout of the yard.**

ALLEVIATION OF VIOLATION

- ☐ You are hereby given ten (10) days from the receipt of notification or mailing to alleviate the violation.
☒ You are hereby given fifteen (15) days from the receipt of notification or mailing to alleviate the violation.
☐ You are hereby given forty-five (45) days from the receipt of notification or mailing to alleviate the violation.

You are further notified that you may request a hearing before the governing body concerning this matter. Said request must be made within fifteen (15) days of the receipt of notification of violation or the mailing of said notification.

FAILURE TO ALLEVIATE

Failure to alleviate said violation or request said hearing may result in your prosecution as provided for in Sec. 42-68 and/or the abatement of the condition by the City as provided for by Sec 42-69, with the cost of said abatement being assessed against you as provided for in Sec 42-73.

I hereby certify that a true and correct copy of the above notice of violation was (personally served) or (sent by certified mail) to: DEE, SEQUOIA P & LARISSA L on the 04 day of May at 7:50:39 AM (p.m. – a.m.) to said person.

Signature of Public Officer 5/4/2022
Date

CE22-1431- 127154 - 28109

3/23



Notice of Violation

State of Kansas
County of Montgomery
City of Independence

Trucks gone
Junk Everywhere

You are hereby notified that on the 04 day of Mar, 2022 at 02:37 (p.m. - a.m.) The undersigned Public Officer conducted an inspection of the following property:

Property Owner: DEE, SEQUOIA P & LARISSA L
Legal Description:
Owner Address: 314 S 4TH ST INDEPENDENCE KS
Violation Address: 314 S 4th

Said property is in violation of Sec. 42-66 of the Code of the City of Independence, Kansas:

- Subsection (1)(a)
Subsection (1)(b)
Subsection (1)(c)
Subsection (2)(a)
Subsection (2)(b)
Subsection (2)(c)

Said property is in violation of Sec. 42-185 - Nuisance Code of the City of Independence, Kansas:

- Grass, weeds or other obnoxious vegetation more than 12"

Description of Violation: Both trucks need tagged. All the disgarded property in the yard needs hauled off.

ALLEVIATION OF VIOLATION

- You are hereby given ten (10) days from the receipt of notification or mailing to alleviate the violation.
You are hereby given fifteen (15) days from the receipt of notification or mailing to alleviate the violation.
You are hereby given forty-five (45) days from the receipt of notification or mailing to alleviate the violation.

You are further notified that you may request a hearing before the governing body concerning this matter. Said request must be made within fifteen (15) days of the receipt of notification of violation or the mailing of said notification.

FAILURE TO ALLEVIATE

Failure to alleviate said violation or request said hearing may result in your prosecution as provided for in Sec. 42-68 and/or the abatement of the condition by the City as provided for by Sec 42-69, with the cost of said abatement being assessed against you as provided for in Sec 42-73.

I hereby certify that a true and correct copy of the above notice of violation was (personally served) or (sent by certified mail) to: DEE, SEQUOIA P & LARISSA L on the 04 day of Mar at 2:37:56 PM (p.m. - a.m.) to said person.

Signature of Public Officer
Date 3/4/2022

7/1/22



314 S 4th Sequoia Dee 6/8/22



7/1/2022



7/1/22



7/1/2020



10039

UNIFORM COMPLAINT AND NOTICE TO APPEAR

STATE OF KANSAS
 COUNTY OF MONTGOMERY
 CITY OF INDEPENDENCE

COMPLAINT

Case #

The Undersigned, complains that on 07 / 01 / 2022
 at 2:30 A.M. P.M. Docket No. _____

Name Dea Sequoia
 (Please Print) LAST 314 8 4th FIRST _____ MIDDLE _____
 Street Address _____
 City Independence State KS
 Birth Date _____ Height _____ Weight _____
 Hair _____ Eyes _____ Sex _____ Race _____
 Drivers Lic. No. _____ D.L. ST. _____
 Did Unlawfully in the City of Independence, Kansas at _____

All in VIOLATION of **SECTION**
 Inoperable Vehicle () Overgrown Dead or Dying Vegetation (✓)
 Vegetation Over 12 Inches (✓) Trash or Debris in Yard (✓)
 Health Hazard () Water Meter Tampering () Animal At Large ()
 Animal Violation ()
 Other () _____

Ordinance No. 42-66 1a-1c **SECTION** _____ Of the City of Independence, Kansas

Signature of Other Complainant _____

Sworn to Positively Before me on _____ / _____ / _____

Municipal Judge / Notary Public

Signature of Officer: _____ PNS# _____

NOTICE TO APPEAR

The City of Independence, Kansas, to the above named person
 You are hereby summoned to appear before the Municipal Court
 of Independence, Kansas, at City Hall on 08 / 03 / 2022
 at 1:30 O'Clock P m., to answer the above complaint.
 ADDRESS OF THE COURT: 811 WEST LAUREL STREET,
 INDEPENDENCE, KANSAS 67301.

I AGREE TO APPEAR IN SAID COURT AT SAID TIME AND PLACE

Signature of accused person _____

RETURN

The undersigned hereby certifies on 07 / 01 / 22 the notice to
 appear was SERVED MAILED DELIVERED.

Ben Morgan
 CODE ENFORCEMENT OFFICER

RESOLUTION NO. 2022-031

**A Resolution Authorizing Abatement of Unhealthy
and Unsafe Exterior Conditions at 314 South 4th**

Whereas, Sequoia P. Dee and Larissa L. Dee own the following described real estate located at 314 South 4th, Independence, Kansas:

Lot 7, Block 75, Original City of Independence, Montgomery
County, Kansas

And Whereas, the City's Code Enforcement Officer has determined that the exterior condition of the property at 314 South 4th is in violation of City Code 42-66 due to the accumulation of debris, junk, abandoned motor vehicle parts, and appliances in the yard.

And Whereas, Sequoia P. Dee has been cited for violating City Code 42-66 on occasions, to-wit: July 1, 2022.

And Whereas, on all occasions, Sequoia P. Dee was given 15 days' notice to alleviate the exterior condition as required by City Code 42-67 on March 4, 2022 and June 8, 2022

And Whereas, Sequoia Dee has taken no action to alleviate the condition of the exterior of the property at 314 South 4th.

And Whereas, due to the continuing complaints from surrounding neighbors, the Code Enforcement Officer is requesting authority to proceed with abatement pursuant to City Code 42-69.

BE IT RESOLVED by the Governing Body of the City of Independence, Kansas:

Section 1. Sequoia P. Dee has been cited with violating City Code 42-66 on July 1, 2022, has been given two written notices and has failed to alleviate the exterior conditions of the yard at 314 South 4th, Independence, Kansas.

Section 2. The Code Enforcement Officer or other agents of the City are hereby authorized to abate the exterior conditions at 314 South 4th, Independence, Kansas, pursuant to City Code 42-69 and to have the costs of abatement assessed against the property pursuant to City Code 42-73.

Adopted by the Governing Body of the City of Independence, Kansas, on the 14th day of July, 2022.

Dean A. Hayse, Mayor

ATTEST:

DAVID W. SCHWENKER, City Clerk



**REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
July 14, 2022**

Department Admin

Director Approval David Cowan

AGENDA ITEM Consider a resolution authorizing the abatement of unhealthy and unsafe exterior conditions 521 South 15th Street.

SUMMARY RECOMMENDATION City Staff recommends the Commission approve the Resolution to abate 521 South 15th Street.

BACKGROUND Code Enforcement Officer Erin Musgrove has been attempting to resolve a nuisance issue at 521 South 15th. Since December 2021, Erin has made multiple attempts to have the owner abate the nuisance, including three violation notices and one summons to court. Continued efforts by Erin were ignored and the nuisance pile has continued to grow. The City staff is receiving calls from neighbors related to the nuisance and the hazards. The resident living at the house was cited in court but has since relocated, therefore the ticket was dismissed on July 6, 2022. Due to the piles continuing to grow and the hazard, the City Staff is asking the Commission to approve the Resolution giving us the authority to abate this nuisance in 20 days.

FINANCIAL INFORMATION The budget impact would be the abatement of this nuisance that would be assessed to the property owner.

SUGGESTED MOTION I move to adopt a resolution authorizing the abatement of unhealthy and unsafe exterior conditions at 521 South 15th Street.

SUPPORTING DOCUMENTS

1. 2022.07-11 Consent-Abate-521S15th
2. 521 S 15th - Attachments
3. Resolution 2022-032 - Nuisance Abatement - 521 S 15th

**CONSENT TO ABATEMENT
OF EXTERIOR YARD CONDITIONS
WHICH ARE UNHEALTHY AND UNSAFE**

COME NOW, Scott M. Richardson and Christina G. Richardson and agree to the following:

1. Scott M. Richardson and Christina G. Richardson are the owners and occupants of the following described real estate:

Lot 2, except South 1 1/9 feet thereof, Nigh's Sub-division of part Lots 12 and 16, Holman's Suburban Addition to the City of Independence, Montgomery County, Kansas (commonly known as 521 South 15th, Independence, Kansas)

2. Three separate notices for violation of City Code 42-66 concerning the exterior condition of the yard at 521 South 15th have been issued on December 13, 2021, January 3, 2022, and April 11, 2022.

3. Scott M. Richardson and Christina G. Richardson hereby consent to abatement of the exterior condition of the yard at 521 South 15th which will entail removal of all unhealthy and unsafe trash, debris, abandoned motor vehicle parts, appliances and other rubbish located thereon which are in violation of City Code 42-66.

4. Scott M. Richardson and Christina G. Richardson acknowledge and understand that they will be contacted prior to the abatement process and that they will remove from the exterior yard of 521 South 15th any property which they feel is valuable and which they wish to retain, and further that any property left in the yard at 521 South 15th may be presumed by the City, its agents and employees, to be rubbish and debris in violation of City Code 42-66, subject to abatement by the City, and may be immediately disposed of by the City.

5. Scott M. Richardson and Christina G. Richardson hereby waive any and all claims of liability for injury and/or damages against the City, its agents and employees, arising from abatement of the exterior condition of their yard, and agree to indemnify and hold harmless the City, its agents and employees from the same.

6. Scott M. Richardson and Christina G. Richardson understand that the cost of abatement may be assessed by the City against them as owners of the property in the same manner as taxes are assessed against property.

7. Scott M. Richardson and Christina G. Richardson acknowledge that they have the right to seek the advice of independent counsel and have executed this consent knowingly and voluntarily.

DATE

SCOTT M. RICHARDSON

DATE

CHRISTINA G. RICHARDSON

DATE

WITNESS SIGNATURE

Printed Name: _____

Print Page

These Links May Require Adobe Acrobat Reader, Click [here](#) to Download it.[View Sketch](#) --- [Back to Search Page](#) --- [Home](#)

The Parcel Number for this Property is 063-087-36-0-40-06-005.00-0
Quick Ref ID: 4603

Owner Information

Resident - Jacqueline Phillips

Owner Name	RICHARDSON, SCOTT M & CHRISTINA G
Address	635 S WALD INDEPENDENCE, KS 67301

Property Situs Address

Address	521 S 15TH ST, Independence, KS 67301
---------	---------------------------------------

Land Based Classification System

Function	Single family residence (detached)
Activity	Household activities
Ownership	Private-fee simple
Site	Developed site - with buildings

General Property Information

Prop Class	Residential - R
Living Units	1
Zoning	
Neighborhood	108.F
Tax Unit Group	108

Property Factors

Topography	Level - 1
Utilities	All Public - 1
Access	Paved Road - 1 Alley - 7
Fronting	Dead End - 7
Location	Neighborhood or Spot - 6
Parking Type	On and Off Street - 3
Parking Quantity	Adequate - 2
Parking Proximity	On Site - 3
Parking Covered	
Parking Uncovered	

2021 Appraised Value

Class	Land	Building	Total
Residential - R	2,840	10,460	13,300
Total	2,840	10,460	13,300

Tract Description

NIGHS SUB LYDIA C, S36, T32, R15, 7031 SQUARE FEET, N 50' LOT 2; Lot Width: 050.0 Lot Depth: 140.0 Plat Book/Page 4 /7 Deed Book/Page 644 /603 609 /1123 454 /395 360 /592

Deed Information

Book1	Page1	Book2	Page2	Book3	Page3	Book4	Page4
644	603	609	1123				

Market Land Information



CE2021-1316-R4603-27852-

12/29

12/29

1/3 checked

Notice of Violation

State of Kansas
County of Montgomery
City of Independence

You are hereby notified that on the 13 day of Dec, 202¹ at 02:56 (p.m. – a.m.) The undersigned Public Officer conducted an inspection of the following property:

Property Owner: "RICHARDSON, SCOTT M & CHRISTINA G"

Jacqueline Phillips

Legal Description: _____

Owner Address: 635 S WALD

INDEPENDENCE

KS

Violation Address: 521 S 15th

Said property is in violation of Sec. 42-66 of the Code of the City of Independence, Kansas:

☒
☐
☐

Subsection (1)(a)

Subsection (1)(b)

Subsection (1)(c)

☐
☐
☐

Subsection (2)(a)

Subsection (2)(b)

Subsection (2)(c)

Said property is in violation of Sec. 42-185 – Nuisance Code of the City of Independence, Kansas:

☐

Grass, weeds or other obnoxious vegetation more than 12"

Description of Violation: The trash at the alley needs to be cleaned up.

ALLEVIATION OF VIOLATION

☐
☒
☐

You are hereby given ten (10) days from the receipt of notification or mailing to alleviate the violation.

You are hereby given fifteen (15) days from the receipt of notification or mailing to alleviate the violation.

You are hereby given forty-five (45) days from the receipt of notification or mailing to alleviate the violation.

You are further notified that you may request a hearing before the governing body concerning this matter. Said request must be made within fifteen (15) days of the receipt of notification of violation or the mailing of said notification.

FAILURE TO ALLEVIATE

Failure to alleviate said violation or request said hearing may result in your prosecution as provided for in Sec. 42-68 and/or the abatement of the condition by the City as provided for by Sec 42-69, with the cost of said abatement being assessed against you as provided for in Sec 42-73.

I hereby certify that a true and correct copy of the above notice of violation was (personally served) or (sent by certified mail) to: "RICHARDSON, SCOTT M & CHRISTINA G" on the 13 day of Dec at 2:56:09 PM (p.m. – a.m.) to said person.

Signature of Public Officer

12/13/2021
Date



Notice of Violation

State of Kansas
County of Montgomery
City of Independence

You are hereby notified that on the 03 day of Jan, 2022 at 10:34 (p.m. – a.m.) The undersigned Public Officer conducted an inspection of the following property:

Property Owner: "RICHARDSON, SCOTT M & CHRISTINA G" Jacqueline Phillips
Legal Description: _____
Owner Address: 635 S WALD INDEPENDENCE KS
Violation Address: 521 S 15th

Said property is in violation of Sec. 42-66 of the Code of the City of Independence, Kansas:



Subsection (1)(a)



Subsection (1)(b)



Subsection (1)(c)



Subsection (2)(a)



Subsection (2)(b)



Subsection (2)(c)

Said property is in violation of Sec. 42-185 – Nuisance Code of the City of Independence, Kansas:



Grass, weeds or other obnoxious vegetation more than 12"

Description of Violation: Looks like someone is living in camper. Cannot do that on a residential property. Needs to be in a rental lot. Thank you for keeping you property picked up. The trash needs to be taken to the dump if you don't have trash service. Water bill finaled out in October,

ALLEVIATION OF VIOLATION



You are hereby given ten (10) days from the receipt of notification or mailing to alleviate the violation.



You are hereby given fifteen (15) days from the receipt of notification or mailing to alleviate the violation.



You are hereby given forty-five (45) days from the receipt of notification or mailing to alleviate the violation.

You are further notified that you may request a hearing before the governing body concerning this matter. Said request must be made within fifteen (15) days of the receipt of notification of violation or the mailing of said notification.

FAILURE TO ALLEVIATE

Failure to alleviate said violation or request said hearing may result in your prosecution as provided for in Sec. 42-68 and/or the abatement of the condition by the City as provided for by Sec 42-69, with the cost of said abatement being assessed against you as provided for in Sec 42-73.

I hereby certify that a true and correct copy of the above notice of violation was (personally served) or (sent by certified mail) to: "RICHARDSON, SCOTT M & CHRISTINA G" Jacqueline Phillips on the 03 day of Jan at 10:34:28 AM (p.m. – a.m.) to said person.

Signature of Public Officer 1/3/2022
Date



CE21 - 1316 - 24603 - 29027 -

6/1
COURT**Notice of Violation**

State of Kansas
County of Montgomery
City of Independence

You are hereby notified that on the 11 day of Apr, 2022 at 02:49 (p.m. – a.m.) The undersigned Public Officer conducted an inspection of the following property:

Property Owner: "RICHARDSON, SCOTT M & CHRISTINA G"/ Jackie Phillips, Jenna Este

Legal Description: _____

Owner Address: 635 S WALD INDEPENDENCE KS

Violation Address: 521 S 15th

Said property is in violation of Sec. 42-66 of the Code of the City of Independence, Kansas:

☒
☒
☒

Subsection (1)(a)

Subsection (1)(b)

Subsection (1)(c)

☐
☐
☐

Subsection (2)(a)

Subsection (2)(b)

Subsection (2)(c)

Said property is in violation of Sec. 42-185 – Nuisance Code of the City of Independence, Kansas:

☐

Grass, weeds or other obnoxious vegetation more than 12"

Description of Violation: Pics for court. Move white car off sidewalk, trash huge pile.

ALLEVIATION OF VIOLATION
☐
☐
☒

You are hereby given ten (10) days from the receipt of notification or mailing to alleviate the violation.

You are hereby given fifteen (15) days from the receipt of notification or mailing to alleviate the violation.

You are hereby given forty-five (45) days from the receipt of notification or mailing to alleviate the violation.

You are further notified that you may request a hearing before the governing body concerning this matter. Said request must be made within fifteen (15) days of the receipt of notification of violation or the mailing of said notification.

FAILURE TO ALLEVIATE

Failure to alleviate said violation or request said hearing may result in your prosecution as provided for in Sec. 42-68 and/or the abatement of the condition by the City as provided for by Sec 42-69, with the cost of said abatement being assessed against you as provided for in Sec 42-73.

I hereby certify that a true and correct copy of the above notice of violation was (personally served) or (sent by certified mail) to: "RICHARDSON, SCOTT M & CHRISTINA G"/ Jackie Phillips, Jenna Esterline on the 11 day of Apr at 2:49:20 PM (p.m. – a.m.) to said person.

Signature of Public Officer 4/11/2022
Date

10035

UNIFORM COMPLAINT AND NOTICE TO APPEAR

STATE OF KANSAS
COUNTY OF MONTGOMERY
CITY OF INDEPENDENCE

COMPLAINT

Case #

The Undersigned, complains that on 04/11/2022
at 10:25 A.M. P.M. Docket No. _____Name Esterline Jenna
(Please Print) LAST EDISON FIRST JENNA MIDDLE _____
Street Address 616 E Edison
City Independence State KS
Birth Date _____ Height _____ Weight _____
Hair _____ Eyes _____ Sex _____ Race _____
Drivers Lic. No. _____ D.L. ST. _____
Did Unlawfully in the City of Independence, Kansas at 616 E EdisonAll in VIOLATION of **SECTION**
Inoperable Vehicle () Overgrown Dead or Dying Vegetation (X)
Vegetation Over 12 Inches () Trash or Debris in Yard (X)
Health Hazard () Water Meter Tampering () Animal At Large ()
Animal Violation ()
Other ()Ordinance No. 42-66 **SECTION** 1A 42-182 A&B
Of the City of Independence,
Kansas

Signature of Other Complainant _____

Sworn to Positively Before me on ____/____/____

Municipal Judge / Notary Public

Signature of Officer: _____ PNS# _____

NOTICE TO APPEAR

The City of Independence, Kansas, to the above named person
You are hereby summoned to appear before the Municipal Court
of Independence, Kansas, at City Hall on 06/01/22
at ____ O'Clock 9 m., to answer the above complaint.
ADDRESS OF THE COURT: 811 WEST LAUREL STREET,
INDEPENDENCE, KANSAS 67301.

I AGREE TO APPEAR IN SAID COURT AT SAID TIME AND PLACE

Signature of accused person _____

RETURN

The undersigned hereby certifies on 04/11/22 the notice to
appear was MAILED DELIVERED.Erin Magruder
CODE ENFORCEMENT OFFICER

10036

UNIFORM COMPLAINT AND NOTICE TO APPEAR

STATE OF KANSAS
COUNTY OF MONTGOMERY
CITY OF INDEPENDENCE

COMPLAINT

Case #

The Undersigned, complains that on 04/11/2022
at 10:40 A.M. P.M. Docket No. _____Name Esterline Jenna
(Please Print) LAST EDISON FIRST JENNA MIDDLE _____
Street Address 616 E Edison
City Independence State KS
Birth Date _____ Height _____ Weight _____
Hair _____ Eyes _____ Sex _____ Race _____
Drivers Lic. No. _____ D.L. ST. _____
Did Unlawfully in the City of Independence, Kansas at 521 S 18th IndependenceAll in VIOLATION of **SECTION**
Inoperable Vehicle () Overgrown Dead or Dying Vegetation ()
Vegetation Over 12 Inches () Trash or Debris in Yard (X)
Health Hazard () Water Meter Tampering () Animal At Large ()
Animal Violation ()
Other ()Ordinance No. 42-66 **SECTION** 1A 42-182 A&B
Of the City of Independence,
Kansas

Signature of Other Complainant _____

Sworn to Positively Before me on ____/____/____

Municipal Judge / Notary Public

Signature of Officer: _____ PNS# _____

NOTICE TO APPEAR

The City of Independence, Kansas, to the above named person
You are hereby summoned to appear before the Municipal Court
of Independence, Kansas, at City Hall on 06/01/2022
at ____ O'Clock 9 m., to answer the above complaint.
ADDRESS OF THE COURT: 811 WEST LAUREL STREET,
INDEPENDENCE, KANSAS 67301.

I AGREE TO APPEAR IN SAID COURT AT SAID TIME AND PLACE

Signature of accused person _____

RETURN

The undersigned hereby certifies on 04/11/22 the notice to
appear was MAILED DELIVERED.Erin Magruder
CODE ENFORCEMENT OFFICER↑
Dismissed / she
can't live in 2 places

Name Jacqueline Phillips / Scott Richardson Address 521-S 15th
Date 12/13 First Case # CE21-1316 - R4603
Notes: _____

12/13 Violation notice written saw trash from 16th street.

12/14 Received Complaint about trash Behind house

1/3 Recheck Draw down Alley - trash in bags, huge pile
did not see poly cart and where - Camper with Rope
lights around door - going living there, silver van
Black door still there. TarP over hood & windshield
of Camper - Rechecked 1/19
Checked w/ Donna not paid water bill since October
finalized out Bill - December 21. owes Balance

2/11 Draw by no real change Spk to neighbor really
tired of mess -

2/23 draw by - no change Roped disappear when I am in area

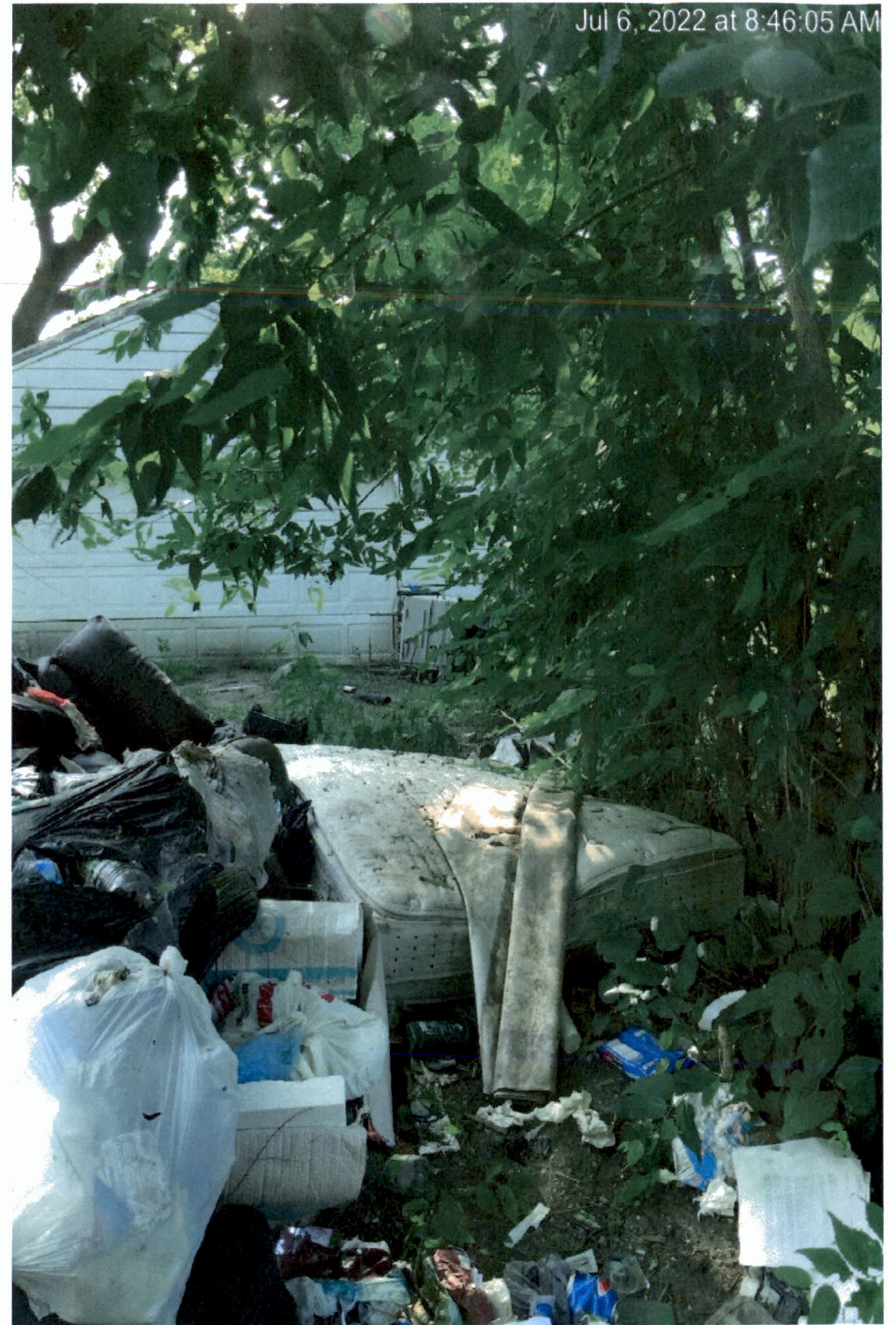
3/7/ Smaller pile -

4/11 Complaint Smelly trash at alley

needs a total (2/4)
so she can get
Jackie Phillips
water turned back
on - 521 S 15th

Jenna Esterline
620-926-1531







RESOLUTION NO. 2022-032

**A Resolution Authorizing Abatement of Unhealthy
and Unsafe Exterior Conditions at 521 South 15th**

Whereas, Scott M. Richardson and Christina G. Richardson own the following described real estate located at 521 South 15th, Independence, Kansas:

Lot 2, except South 1 1/9 feet thereof, Nigh's Sub-division of part
Lots 12 and 16, Holman's Suburban Addition to the City of
Independence, Montgomery County, Kansas (commonly known as
521 South 15th, Independence, Kansas)

And Whereas, the City's Code Enforcement Officer has determined that the exterior condition of the property at 521 South 15th is in violation of City Code 42-66 due to the accumulation of debris, junk, abandoned motor vehicle parts, and appliances in the yard.

And Whereas, on all occasions, Scott M. Richardson and Christina G. Richardson were given 15 days' notice to alleviate the exterior condition as required by City Code 42-67 on December 13, 2021, January 3, 2022, and April 11, 2022.

And Whereas, Scott M. Richardson and Christina G. Richardson have taken no action to alleviate the condition of the exterior of the property at 521 South 15th.

And Whereas, due to the continuing complaints from surrounding neighbors, the Code Enforcement Officer is requesting authority to proceed with abatement pursuant to City Code 42-69.

BE IT RESOLVED by the Governing Body of the City of Independence, Kansas:

Section 1. Scott M. Richardson and Christina M. Richardson have been given three written notices and have failed to alleviate the exterior conditions of the yard at 521 South 15th, Independence, Kansas.

Section 2. The Code Enforcement Officer or other agents of the City are hereby authorized to abate the exterior conditions at 521 South 15th, Independence, Kansas, pursuant to City Code 42-69 and to have the costs of abatement assessed against the property pursuant to City Code 42-73.

Adopted by the Governing Body of the City of Independence, Kansas, on the 14th day of July, 2022.

Dean A. Hayse, Mayor

ATTEST:

DAVID W. SCHWENKER, City Clerk



**REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
July 14, 2022**

Department Admin

Director Approval David Cowan

AGENDA ITEM Consider approving an Ordinance amending Ambulance Rates.

SUMMARY RECOMMENDATION City Staff recommends approving the Ordinance

BACKGROUND Independence Fire-EMS last adjusted our rates in 2018. In order to adjust for the increased cost associated with salaries, training, equipment and medication, the service is requesting the proposed Ordinance adjusting our rates. The Independence Fire-EMS ambulances responded to 3,373 calls in 2021 and transported 1,909 patients. The budget for Fire-EMS is \$1,728,732 for 2022, with revenues from ambulance service generating close to \$400,000.00 through June of 2022. Independence Fire-EMS rates are adjusted annually by CMS, which sets rates for Federal CMS program reimbursements based on ambulance services' geographic location in the U.S. and urban vs. rural settings.

FINANCIAL INFORMATION Potential increased revenue.

SUGGESTED MOTION I move to approve Ordinance 4396 amending the ambulance rates

SUPPORTING DOCUMENTS

1. Ordinance 4396 - Amend Ambulance Rates

ORDINANCE NO. 4396
AN ORDINANCE AMENDING APPENDIX D, CHAPTER 38,
SETTING FORTH NEW AMBULANCE RATES

Be it ordained by the Governing Body of the City of Independence, Kansas:

Section 1. Appendix D, Chapter 38, Ambulance Rates, is hereby
Amended in its entirety to read as follows:

Chapter 38. Ambulance Rates

1) BLS Defib Supp	\$ 45.00
2) ALS Defib Supp	\$ 45.00
3) IV Supplies	\$ 30.00
4) Intubation	\$ 30.00
5) O2/Supp	\$ 20.00
6) BLS Transport	\$ 600.00
7) Basic Life Support Emergency	\$ 700.00
8) Advanced Life Support Non-emergency	\$ 800.00
9) Advanced Life Support Emergency	\$ 950.00
10) Advanced Life Support – 2	\$ 1,200.00
11) Specialty Care Transfer	\$ 1,400.00
12) Medication	Cost + 200%
13) Public Assist Only	\$ 40.00
14) Treatment No Transport	\$ 125.00 + Medication & IV Charge
15) Mileage rate per loaded mile	\$ 16.00
16) Standby Charge	\$ 85.00 per hour

Section 2. This ordinance shall take effect upon publication in the official city newspaper.

Adopted by the Governing Body of the City of Independence, Kansas July 14, 2022.

Dean A. Hayse, Mayor

ATTEST:

David Schwenker, City Clerk



**REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
July 14, 2022**

Department Housing

Director Approval CYNTHIA NUTT

AGENDA ITEM Consider approving amendments to the interlocal agreements for the Central, Downtown, North Penn, Southeast, Southwest and West Main Neighborhood Revitalization Plans.

SUMMARY RECOMMENDATION The Independence Housing Authority recommends approving the amended interlocal agreements to the Southeast, Southwest, Central, Downtown, West Main, and North Penn Avenue Neighborhood Revitalization Plans.

BACKGROUND The City of Independence has established several Neighborhood Revitalization Plans (NRPs) for the purpose of assisting property owners in revitalizing their neighborhoods. The program provides a rebate of the increase in property taxes for improvements made to residential and commercial structures or new construction within those designated neighborhoods that have met program criteria. Independence has six Neighborhood Revitalization Plans established in residential neighborhoods. Currently, the six NRPs as they are worded do not allow a developer of residential units to transfer the rebate to the end purchaser, but five of the six NRPs allow a commercial developer to do so. The desire is to allow a residential developer the same opportunity as the commercial developer. Amending the current NRPs interlocal agreements to include such language would be beneficial to the redevelopment of Independence's existing neighborhoods.

FINANCIAL INFORMATION There is no impact on the City budget.

SUGGESTED MOTION I move to approve the amended interlocal agreements for the Neighborhood Revitalization Plans for the North Penn Region, the Downtown and West Main Regions, and the Southeast, Southwest, and Central Regions.

SUPPORTING DOCUMENTS

1. IHA-NRP-North Penn
2. IHA-NRP-Downtown West
3. IHA-NRP-SE SW Central

**FIRST AMENDMENT TO NEIGHBORHOOD REVITALIZATION PLAN
(North Penn Region)**

Interlocal Agreement

This agreement is entered into effective on the date of the last party to approve it by and between the following parties: City of Independence, Kansas, a municipal corporation, (hereafter City); Board of County Commissions of Montgomery County, Kansas, (hereafter County); Unified School District 446, (hereafter USD 446); and Independence Community College, (hereafter ICC).

WHEREAS, the parties previously entered into and approved an Interlocal Agreement which adopted a Neighborhood Revitalization Plan (hereafter NRP), which was approved November 13, 2017.

AND WHEREAS, the NRP covered the North Penn region of the City of Independence.

AND WHEREAS, the parties now wish to amend the NRP to allow a developer of residential property to be able to transfer eligibility to participate in the program to the first buyer of such residential property.

NOW THEREFORE, in consideration of the mutual covenants and agreements hereinafter contained, the parties agree to the following:

1. Part 7 - Criteria for Determination of Eligibility, subsection h, shall be amended in its entirety to read as follows:

- h. Rebates are limited to the applicant only and are **not** transferrable or assignable to subsequent property owners. Upon the sale, transfer or other conveyance of any property otherwise eligible for participation in the program, the property shall become ineligible for any additional or further rebates.

Exceptions: An applicant who is a bona fide developer of commercial property shall be entitled to transfer or assign such applicant's eligibility to participate in the program to the first buyer, transferee or grantee of such commercial property; and an applicant who is a bona fide developer of residential property shall be entitled to transfer or assign such applicant's eligibility to participate in the program to the first buyer, transferee or grantee of such residential property. Upon a subsequent sale, transfer or conveyance of such property, the property shall thereafter become ineligible for any additional or further rebates.

IN WITNESS WHEREOF, the undersigned have hereto executed this agreement:

Board of County Commissioners
of Montgomery County, Kansas

ATTEST:

by: _____
Robert Bever, Chairperson

Charlotte Scott-Schmidt
County Clerk

(seal)

STATE OF KANSAS)
) SS:
MONTGOMERY COUNTY)

BE IT REMEMBERED that this _____ day of _____, 2022, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came Robert Bever, Chairperson of Board of County Commissioners of Montgomery County, Kansas and Charlotte Scott-Schmidt, County Clerk of Montgomery County, Kansas, who are personally known to me to be the same persons who executed the within instrument of writing and such persons duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal, the day and year last above written.

Notary Public

My commission expires:

**FIRST AMENDMENT TO NEIGHBORHOOD REVITALIZATION PLAN
(North Penn Region)**

Interlocal Agreement

City of Independence, Kansas

ATTEST:

by: _____
Dean A. Hayse, Mayor

David W. Schwenker
City Clerk

(seal)

STATE OF KANSAS)
) SS:
MONTGOMERY COUNTY)

BE IT REMEMBERED that this _____ day of _____, 2022, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came Dean A. Hayse, Mayor of the City of Independence, and David W. Schwenker, City Clerk for the City of Independence, who are personally known to me to be the same persons who executed the within instrument of writing and such persons duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal, the day and year last above written.

Notary Public

My commission expires:

**FIRST AMENDMENT TO NEIGHBORHOOD REVITALIZATION PLAN
(North Penn Region)**

Interlocal Agreement

Unified School District 446

ATTEST:

by: _____
Sam Blackard, President
Board of Education

Toni Jabben
Board Clerk

(seal)

STATE OF KANSAS)
) SS:
MONTGOMERY COUNTY)

BE IT REMEMBERED that this _____ day of _____, 2022, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came Sam Blackard, President of Board of Education for the Unified School District 446 and Toni Jabbin Board Clerk for the Unified School District 446, who are personally known to me to be the same persons who executed the within instrument of writing and such persons duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal, the day and year last above written.

Notary Public

My commission expires:

**FIRST AMENDMENT TO NEIGHBORHOOD REVITALIZATION PLAN
(North Penn Region)**

Interlocal Agreement

Independence Community College

ATTEST:

by: _____
Cynthia Sherwood, Chairperson
Board of Trustees

Cherie Stockton
Board Clerk

(seal)

STATE OF KANSAS)
) SS:
MONTGOMERY COUNTY)

BE IT REMEMBERED that this _____ day of _____, 2022, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came Cynthia Sherwood, Chairperson of Board of Trustees for Independence Community College and Cherie Stockton, Board Clerk for Independence Community College, who are personally known to me to be the same persons who executed the within instrument of writing and such persons duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal, the day and year last above written.

Notary Public

My commission expires:

**FIRST AMENDMENT TO NEIGHBORHOOD REVITALIZATION PLAN
(Downtown and West Main Regions)**

Interlocal Agreement

This agreement is entered into effective on the date of the last party to approve it by and between the following parties: City of Independence, Kansas, a municipal corporation, (hereafter City); Board of County Commissions of Montgomery County, Kansas, (hereafter County); Unified School District 446, (hereafter USD 446); and Independence Community College, (hereafter ICC).

WHEREAS, the parties previously entered into and approved an Interlocal Agreement which adopted a Neighborhood Revitalization Plan (hereafter NRP), which was officially recorded January 4, 2016 in Book 645 at Page 263 with the Montgomery County Register of Deeds.

AND WHEREAS, the NRP covered the Downtown and West Main Regions of the City of Independence.

AND WHEREAS, the parties now wish to amend the NRP to allow a developer of residential property to be able to transfer eligibility to participate in the program to the first buyer of such residential property.

NOW THEREFORE, in consideration of the mutual covenants and agreements hereinafter contained, the parties agree to the following:

1. Part 7 - Criteria for Determination of Eligibility, shall be amended to add a new subsection (i) which reads as follows in its entirety:
 - i. Rebates are limited to the applicant only and are **not** transferrable or assignable to subsequent property owners. Upon the sale, transfer or other conveyance of any property otherwise eligible for participation in the program, the property shall become ineligible for any additional or further rebates.

Exceptions: An applicant who is a bona fide developer of commercial property shall be entitled to transfer or assign such applicant's eligibility to participate in the program to the first buyer, transferee or grantee of such commercial property; and an applicant who is a bona fide developer of residential property shall be entitled to transfer or assign such applicant's eligibility to participate in the program to the first buyer, transferee or grantee of such residential property. Upon a subsequent sale, transfer or conveyance of such property, the property shall thereafter become ineligible for any additional or further rebates.

IN WITNESS WHEREOF, the undersigned have hereto executed this agreement:

Board of County Commissioners
of Montgomery County, Kansas

ATTEST:

by: _____
Robert Bever, Chairperson

Charlotte Scott-Schmidt
County Clerk

(seal)

STATE OF KANSAS)
) SS:
MONTGOMERY COUNTY)

BE IT REMEMBERED that this _____ day of _____, 2022, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came Robert Bever, Chairperson of Board of County Commissioners of Montgomery County, Kansas and Charlotte Scott-Schmidt, County Clerk of Montgomery County, Kansas, who are personally known to me to be the same persons who executed the within instrument of writing and such persons duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal, the day and year last above written.

Notary Public

My commission expires:

**FIRST AMENDMENT TO NEIGHBORHOOD REVITALIZATION PLAN
(Downtown and West Main Regions)**

Interlocal Agreement

City of Independence, Kansas

ATTEST:

by: _____
Dean A. Hayse, Mayor
(seal)

David W. Schwenker
City Clerk

STATE OF KANSAS)
) SS:
MONTGOMERY COUNTY)

BE IT REMEMBERED that this _____ day of _____, 2022, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came Dean A. Hayse, Mayor of the City of Independence, and David W. Schwenker, City Clerk for the City of Independence, who are personally known to me to be the same persons who executed the within instrument of writing and such persons duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal, the day and year last above written.

Notary Public

My commission expires:

**FIRST AMENDMENT TO NEIGHBORHOOD REVITALIZATION PLAN
(Downtown and West Main Regions)**

Interlocal Agreement

Unified School District 446

ATTEST:

by: _____
Sam Blackard, President
Board of Education

Toni Jabben
Board Clerk

(seal)

STATE OF KANSAS)
) SS:
MONTGOMERY COUNTY)

BE IT REMEMBERED that this _____ day of _____, 2022, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came Sam Blackard, President of Board of Education for the Unified School District 446 and Toni Jabbin Board Clerk for the Unified School District 446, who are personally known to me to be the same persons who executed the within instrument of writing and such persons duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal, the day and year last above written.

Notary Public

My commission expires:

**FIRST AMENDMENT TO NEIGHBORHOOD REVITALIZATION PLAN
(Downtown and West Main Regions)**

Interlocal Agreement

Independence Community College

ATTEST:

by: _____
Cynthia Sherwood, Chairperson
Board of Trustees

Cherie Stockton
Board Clerk

(seal)

STATE OF KANSAS)
) SS:
MONTGOMERY COUNTY)

BE IT REMEMBERED that this _____ day of _____, 2022, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came Cynthia Sherwood, Chairperson of Board of Trustees for Independence Community College and Cherie Stockton, Board Clerk for Independence Community College, who are personally known to me to be the same persons who executed the within instrument of writing and such persons duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal, the day and year last above written.

Notary Public

My commission expires:

**FIRST AMENDMENT TO NEIGHBORHOOD REVITALIZATION PLAN
(Southeast, Southwest and Central Regions)**

Interlocal Agreement

This agreement is entered into effective on the date of the last party to approve it by and between the following parties: City of Independence, Kansas, a municipal corporation, (hereafter City); Board of County Commissions of Montgomery County, Kansas, (hereafter County); Unified School District 446, (hereafter USD 446); and Independence Community College, (hereafter ICC).

WHEREAS, the parties previously entered into and approved an Interlocal Agreement which adopted a Neighborhood Revitalization Plan (hereafter NRP), which was officially recorded June 1, 2020 in Book 690 at Page 1232 with the Montgomery County Register of Deeds.

AND WHEREAS, the NRP covered three (3) regions located within the City of Independence noted as Southeast, Southwest and Central.

AND WHEREAS, the parties now wish to amend the NRP to allow a developer of residential property to be able to transfer eligibility to participate in the program to the first buyer of such residential property.

NOW THEREFORE, in consideration of the mutual covenants and agreements hereinafter contained, the parties agree to the following:

1. Part 7 - Criteria for Determination of Eligibility, subsection h, shall be amended in its entirety to read as follows:
 - h. Rebates are limited to the applicant only and are **not** transferrable or assignable to subsequent property owners. Upon the sale, transfer or other conveyance of any property otherwise eligible for participation in the program, the property shall become ineligible for any additional or further rebates.

Exceptions: An applicant who is a bona fide developer of commercial property shall be entitled to transfer or assign such applicant's eligibility to participate in the program to the first buyer, transferee or grantee of such commercial property; and an applicant who is a bona fide developer of residential property shall be entitled to transfer or assign such applicant's eligibility to participate in the program to the first buyer, transferee or grantee of such residential property. Upon a subsequent sale, transfer or conveyance of such property, the property shall thereafter become ineligible for any additional or further rebates.

IN WITNESS WHEREOF, the undersigned have hereto executed this agreement:

Board of County Commissioners
of Montgomery County, Kansas

ATTEST:

by: _____
Robert Bever, Chairperson
(seal)

Charlotte Scott-Schmidt
County Clerk

STATE OF KANSAS)
) SS:
MONTGOMERY COUNTY)

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IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal, the day and year last above written.

Notary Public

My commission expires:

**FIRST AMENDMENT TO NEIGHBORHOOD REVITALIZATION PLAN
(Southeast, Southwest and Central Regions)**

Interlocal Agreement

City of Independence, Kansas

ATTEST:

by: _____
Dean A. Hayse, Mayor

David W. Schwenker
City Clerk

(seal)

STATE OF KANSAS)
) SS:
MONTGOMERY COUNTY)

BE IT REMEMBERED that this _____ day of _____, 2022, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came Dean A. Hayse, Mayor of the City of Independence, and David W. Schwenker, City Clerk for the City of Independence, who are personally known to me to be the same persons who executed the within instrument of writing and such persons duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal, the day and year last above written.

Notary Public

My commission expires:

**FIRST AMENDMENT TO NEIGHBORHOOD REVITALIZATION PLAN
(Southeast, Southwest and Central Regions)**

Interlocal Agreement

Unified School District 446

ATTEST:

by: _____
Sam Blackard, President
Board of Education

Toni Jabben
Board Clerk

(seal)

STATE OF KANSAS)
) SS:
MONTGOMERY COUNTY)

BE IT REMEMBERED that this _____ day of _____, 2022, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came Sam Blackard, President of Board of Education for the Unified School District 446 and Toni Jabbin Board Clerk for the Unified School District 446, who are personally known to me to be the same persons who executed the within instrument of writing and such persons duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal, the day and year last above written.

Notary Public

My commission expires:

**FIRST AMENDMENT TO NEIGHBORHOOD REVITALIZATION PLAN
(Southeast, Southwest and Central Regions)**

Interlocal Agreement

Independence Community College

ATTEST:

by: _____
Cynthia Sherwood, Chairperson
Board of Trustees

Cherie Stockton
Board Clerk

(seal)

STATE OF KANSAS)
) SS:
MONTGOMERY COUNTY)

BE IT REMEMBERED that this _____ day of _____, 2022, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came Cynthia Sherwood, Chairperson of Board of Trustees for Independence Community College and Cherie Stockton, Board Clerk for Independence Community College, who are personally known to me to be the same persons who executed the within instrument of writing and such persons duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal, the day and year last above written.

Notary Public

My commission expires:



Report
CITY OF INDEPENDENCE
July 14, 2022

Department Admin

Director Approval Kelly Passauer

AGENDA ITEM City Board Minutes

1. June 7, 2022 Planning Commission/Board of Zoning Appeals
2. June 29, 2022 Recreation Commission

BACKGROUND Attached are the City Board Minutes from the Planning Commission/Board of Zoning Appeals and City Recreation Commission.

SUPPORTING DOCUMENTS

1. June 7, 2022 PZ Minutes
2. June 29, 2022 Rec Commission Minutes

Minutes of the Planning and Zoning Commission/Board of Zoning Appeals's June 7, 2022 Meeting

I. Call to Order

a. Roll Call

Present: Anthony Royse, Kendall Neill, Tim Haynes, Brent Littleton, Andy McLenon, Mary Jo Meier, Rachel Lyon, Michelle Anderson, Lisa Richard (Lisa came in after the Minutes vote)

Absent:

Excused:

II. Minutes

a. Consider approving minutes of the April 5, 2022 meeting.

Motion:

On the motion of Tim Haynes, seconded by Brent Littleton the Commission Minutes were approved as written.

Aye: Michelle Anderson, Tim Haynes, Brent Littleton, Rachel Lyon, Andy McLenon, Mary Jo Meier, Kendall Neill, ANTHONY Royse

Nay: None

III. Board of Zoning Appeals (Does not include outside City appointments)

IV. Planning Commission

a. Public hearing to receive comments to consider rezoning a tract of land at 1320 W Maple St from M-2, heavy industrial district to C-2, commercial services district.

Josiah Edings explained to the Planning Commission that he would like to sell the vehicles he repairs in his shop and needs the rezoning in order to do that.

Tim Haynes asked Josiah Edings if he planned to continue his wholesale business in addition to selling the repaired vehicles and Josiah Edings said yes, there is 24,000 sq. ft. and the wholesale business takes up very little of that square footage.

Brent Littleton asked what kind of automotive repair Josiah Edings was doing. Josiah Edings said it is in body work and in electrical, corrupt software in the computers.

Ashton Chaney stated that he was Josiah Edings' new business partner and was there to answer any questions.

**Minutes of the Planning and Zoning Commission/Board of Zoning Appeals's June 7, 2022
Meeting**

Tim Haynes asked the other board members if there was a drawback that any of them could see from rezoning it into C-2. Kendall Neill agreed with Tim Haynes that this would be a good use for the building.

Motion:

On the motion of Andy McLenon, seconded by Anthony Royse the Commission approved to rezone a tract of land at 1320 W Maple St from M-2, heavy industrial district to C-2, commercial services district.

**Aye: Michelle Anderson, Tim Haynes, Brent Littleton, Rachel Lyon, Andy McLenon, Mary Jo Meier, Kendall Neill, Lisa Richard, Anthony Royse
Nay: None**

V. Discussion

Kelly Passauer said the City has had some requests lately about putting recreational vehicles in mobile home parks and it is not specified in the City code to allow that. She asked the board members if they wanted to entertain a text amendment that could initiate that discussion. There are some new people buying some of the older mobile home parks that need to be cleaned up and they have requested to be able to put recreational vehicles there. There are also other locations that need to be cleaned up and can be used for recreational vehicles. If the board members are interested in allowing this, the code would need to be amended.

Andy McLenon asked about the flood areas being set up as mobile home parks. Kelly Passauer said that in an emergency the Commission can permit temporary usage of the flood areas with trailers. The mobile home park ordinance specifically excludes travel trailers.

Andy McLenon would like to consider a text amendment but would like to know what area cities have and what their code ordinances are.

Kelly Passauer asked David Cowan whether recreational vehicles could be in a flood area as long as they can be moved in a specified time. David Cowan said yes, as long as they can be removed quickly and the utilities and hook-ups are 2 feet above the flood line. Kelly Passauer said the flood areas could be utilized for recreational vehicles where no permanent housing is allowed.

Motion:

On the motion of Mary Jo Meier, seconded by Andy McLenon the Commission moved to initiate a Text Amendment concerning recreational vehicles for the July 5 meeting.

Aye: Michelle Anderson, Tim Haynes, Brent Littleton, Rachel Lyon, Andy

**Minutes of the Planning and Zoning Commission/Board of Zoning Appeals's June 7, 2022
Meeting**

McLenon, Mary Jo Meier, Kendall Neill, Lisa Richard, Anthony Royse
Nay: None

We talked about coming together to support the funding of an updated Comprehensive Plan.

Motion:

On the motion of Mary Jo Meier, seconded by Andy McLenon the Commission moved to authorize the chair, Kendall Neill, to write a letter to the City Commission in support of the Comp Plan being passed in the budget.

Aye: Michelle Anderson, Tim Haynes, Brent Littleton, Rachel Lyon, Andy McLenon, Mary Jo Meier, Kendall Neill, Lisa Richard, Anthony Royse
Nay: None

VI. Adjournment

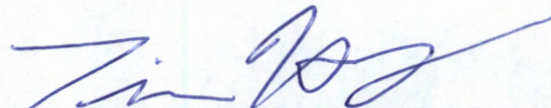
Motion:

On the motion of Kendall Neill, seconded by Andy McLenon the Commission adjourned this meeting.

Aye: Michelle Anderson, Tim Haynes, Brent Littleton, Rachel Lyon, Andy McLenon, Mary Jo Meier, Kendall Neill, Lisa Richard, ANTHONY Royse
Nay: None



Chairperson



Secretary

INDEPENDENCE USD #446 RECREATION COMMISSION

Year-End Meeting June 29, 2022

Ash Youth Center

1501 N. 10th St.

Independence, KS 67301

MEMBERS PRESENT:

Christy Mavers
Ron Goins
Joe Cooley

OTHERS PRESENT:

Brent Julian
Lori Bromley
Nick McBride
Jim Butts
Galen Palmer

Christy Mavers opened the commission meeting at 11:30 a.m.

ROUTINE

Agenda

The agenda was amended to add F. August Board Meeting Dates and G. Tile Flooring Quotes for Gymnasium under III. Business/Finance. Ron Goins moved to approve the agenda as amended. Joe Cooley seconded. Motion carried 3-0.

Minutes

Joe Cooley moved to approve the board minutes for the May 18, 2022 board meeting. Ron Goins seconded. Motion carried 3-0.

Bills

Joe Cooley moved to approve the June 2022 bills for payment as presented in the amount of \$64,232.76 as well as \$39,737.28 in bills and employee benefits paid since the May 2022 board meeting. Ron Goins seconded. Motion carried 3-0.

Treasurer's Report

Galen Palmer reported the following bank balances as of May 31, 2022: First Oak Bank – Checking: \$105,077.88; First Oak Bank – Petty Cash: \$500.00; and Equity Bank – Savings: \$111,744.09. Ron Goins moved to approve the treasurer's report as presented. Joe Cooley seconded. Motion carried 3-0.

PROGRAM/OPERATIONS

Maintenance Report

Jim Butts answered any questions the board had on the maintenance report. Christy Mavers asked Jim if he had hired his field crew for the summer and Jim stated that he only hired one employee, Ethan Speicher. Jim and Brent agreed that Ethan is doing a fantastic job and producing more work than two or three teens would do. Brent informed the board that TLC finished their work on the 10th Street Complex in May so that's now been delegated to Jim and Ethan and its looking good.

Programs Report

Nick McBride answered any questions the board had on the programs report. Christy Mavers asked Nick how it is working out on the fields that are no longer using umpires, such as tee ball and rookie. Nick stated that all in all it's going really well. Nick stated that the coaches mean well and help out a lot but some of the games are running a little late so everyone has the same amount of time at bat, unfortunately that cannot always work out so the supervisors are helping out with that as well. Brent informed the board that Nick has done a great job with the schedule and only has two games per field being played so they are done before dark. There was a discussion on the upcoming pickleball tournament dates.

Director's Report

IRC Director, Brent Julian, answered any questions the board had on the director/aquatics report. Brent updated the board on the indoor pool heater and that they finally found one through Mastercraft. Brent is hoping to have it in approximately two weeks and the cost is \$3,800.00. Brent discussed the only after-season tournament Independence will host this summer and that is the girl's 10 & under softball, it will be held at the Arco Complex in July.

BUSINESS/FINANCE

Designated KPERS Agent

Joe Cooley moved to approve Lori Bromley as the designated Kpers agent. Ron Goins seconded. Motion carried 3-0.

Election of Board Officers

Brent explained to the commission that Tony Turner's term is now up and he will no longer serve as the secretary to the commission so new elections will need to proceed. Joe Cooley moved to re-elect Christy Mavers as Chairman and Ron Goins as the Vice-Chair. Ron Goins seconded. Motion carried 3-0. Ron Goins moved to elect Joe Cooley as secretary of the board. Joe Cooley seconded. Motion carried 3-0.

2022-2023 Budget Update

Brent discussed the upcoming preliminary budget numbers for FY23 with the commission and answered any questions. Brent informed the board that he will need to re-apply for the Revenue Neutral Rate by July 20th in order to qualify again this budget year. Brent stated that he may need to request a change to the regular August board meeting in order to incorporate the budget hearing as well as the RNR hearing into the same meeting, but that is up to the board members as the RNR meeting will need to be between August 20th-Sept 20th. Brent discussed the \$40,000 installment payment to the city for the new sports complex and that they are still waiting on grant information.

Staff Evaluations

Christy Mavers suggested adjourning into executive session for approximately fifteen minutes to discuss staff evaluations, performance bonuses or any pay increases, as well as the Director's contract once items F & G are addressed.

August Board Meeting Date

Brent informed the board that if the August meeting date is changed to Wednesday, August 24th it would not be necessary to hold two separate meetings, instead the Budget Hearing and RNR Hearing could be held at the same time. Ron Goins moved to approve exceeding the RNR (Revenue Neutral Rate) again this budget year and to change the August meeting to Wednesday, August 24th at 11:30 a.m.

in order to hold the regularly scheduled meeting, the budget hearing and the RNR hearing all together. Joe Cooley seconded. Motion carried 3-0.

Tile Flooring Quotes for Ash Gymnasium

Brent informed the board that he has received two bids on removing the tile floors around the Ash Center gymnasium and going back to concrete. The first bid is from SEK Construction and it is for \$20,757 and the other bid is from Jerry Stover and it is for \$12,205. The work is to include removing the old tile, removing metal casing around the tile, cleaning and putting down a clear coat and sealant. Ron stated that Jerry Stover is in this line of work and probably the reason why his bid is so much less expensive. Ron also stated that the old lines from existing tile will remain but a coat of stain may help, he suggested looking at the judicial center to get a better idea of what to expect because Jerry did that floor as well. Brent stated that he wants to keep the commission updated and hopes to have the project done by end of summer.

Executive Session

Ron Goins moved to adjourn into executive session for approximately fifteen minutes. Joe Cooley seconded. Motion carried 3-0. The regular meeting re-convened at 12:40 p.m.

Director's Contract

Ron Goins moved to approve the renewal of Recreation Director, Brent Julian's contract for the next three fiscal years beginning July 1, 2023 – July 1, 2026. Joe Cooley seconded. Motion carried 3-0.

Items from the Commission

There were no items from the commission.

Agreement for Action on Items from the Commission

No agreement for action on items.

Joe Cooley acted as secretary in Tony Turner's absence.

Adjournment

The meeting adjourned at 12:45 p.m.

Respectfully Submitted,

Joe Cooley
Acting Secretary



Report
CITY OF INDEPENDENCE
July 14, 2022

Department Finance

Director Approval Lacey Lies

AGENDA ITEM June 2022 Sales Tax Report

BACKGROUND Attached is the June 2022 Sales Tax Report.

SUPPORTING DOCUMENTS

1. June 2022 Sales Tax Report



June 2022 Sales Tax Report

City of Independence Kansas

Office of the Finance Director

June 23, 2022



Sales Tax Report for June 2022

One Percent Sales Tax – General Fund

The attached spreadsheet and graphs provide comparisons by fiscal year of the **one (1) percent** sales tax levied for City purposes; another one percent is levied for the Special Use Sales Tax Allocation, and another one percent for Education.

NOTE: the “receipts” reported from the State of Kansas to the City for any given month are from sales generated two months prior. For example, the June receipts shown in this report were from sales in April 2022.

June 2022 is the sixth month in the FY2022 Sales Tax Revenue account.

- **June** receipts totaled **\$224,267**, which is an **INCREASE of \$17,963** from June 2021, or **up 8.7%** (see Graph 2, “June 1% Sales Tax 10 Year History”).
- June 2022 receipts are the **HIGHEST June** receipts in the 10-year history (see Graph 2, “June 1% Sales Tax 10 Year History”).
- Annualized FY2022 sales tax collected (with six months reported) is **\$2,501,615, or \$451,615 over** our **budgeted** amount of \$2,050,000; or **22% higher** than the budget. This would be \$258,312 over our FY2021 **actual collections** of \$2,243,303.
- With six months reported, we have **collected 61%** of the FY2022 budgeted amount of \$2,050,000.
- The **Compensating Use** sales tax portion made up **16.3%** of the \$224,267 total (\$36,646) (see Graph 5 “2022 1% Sales Tax – Monthly/Compensating Use Sales Tax and Sales Tax.”).

THANK YOU
For Shopping Local!



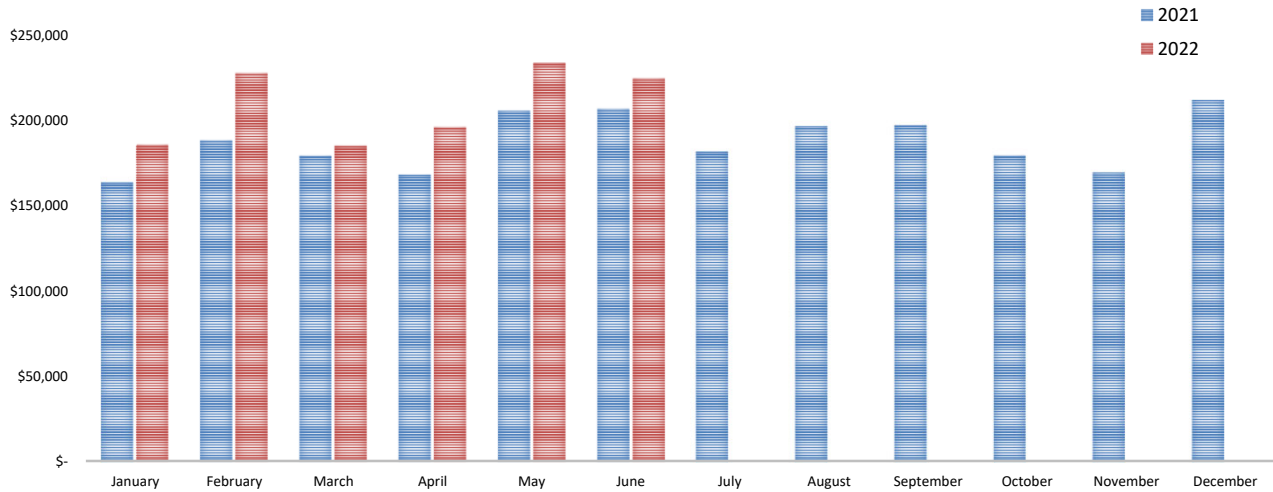


City of Independence Sales Tax - 1% City

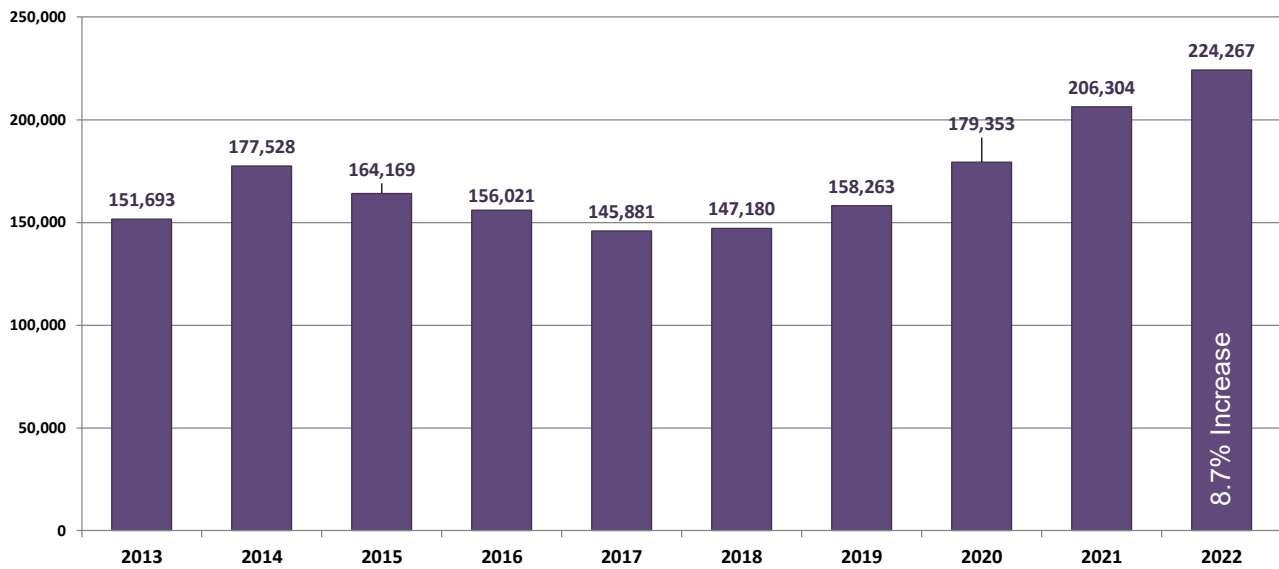
Comparison and History January - June 2022

	Fiscal Year	Fiscal Year	Fiscal Year	Fiscal Year	Fiscal Year	Fiscal Year	Fiscal Year	% Change	% Change
Month	2016	2017	2018	2019	2020	2021	2022	FY 20-21	YTD
January	155,458	150,653	163,240	172,377	169,033	163,252	185,340	13.5%	13.5%
February	178,180	179,791	165,834	178,399	200,053	187,879	227,272	21.0%	17.5%
March	150,239	139,664	146,833	167,292	149,607	178,907	184,767	3.3%	12.7%
April	155,915	160,947	155,702	139,790	172,804	167,798	195,697	16.6%	13.6%
May	175,729	166,595	183,899	187,854	166,798	205,282	233,465	13.7%	13.7%
June	156,021	145,881	147,180	158,263	179,353	206,304	224,267	8.7%	12.7%
July	167,882	164,178	167,392	169,308	179,594	181,396			-3.1%
August	155,386	164,255	174,341	180,142	221,770	196,182			-15.9%
September	160,338	146,156	159,813	186,618	166,847	196,679			-25.7%
October	164,757	155,995	163,360	164,463	177,190	179,011			-32.8%
November	158,752	158,730	160,797	159,872	183,599	169,058			-38.4%
December	150,228	166,874	166,699	159,474	169,275	211,556			-44.2%
Total:	\$ 1,928,886	\$ 1,899,720	\$ 1,955,089	\$ 2,023,851	\$ 2,135,922	\$ 2,243,303	\$ 1,250,807		
% change		-2%	3%	4%	6%	10.8%	-44.2%		
Annual Budget					\$ 2,135,922	\$ 2,243,303	\$ 2,501,615	\$ 258,312	
					\$ 1,931,101	\$ 1,935,000	\$ 2,050,000	\$ 115,000	
Collections Over (under) Budget					\$ 204,821	\$ 308,303	\$ 451,615		
Projected % Over PY Actual							11.5%		
YTD % of Budget Collected							61.0%		
Projected % Over Budget							22.0%		

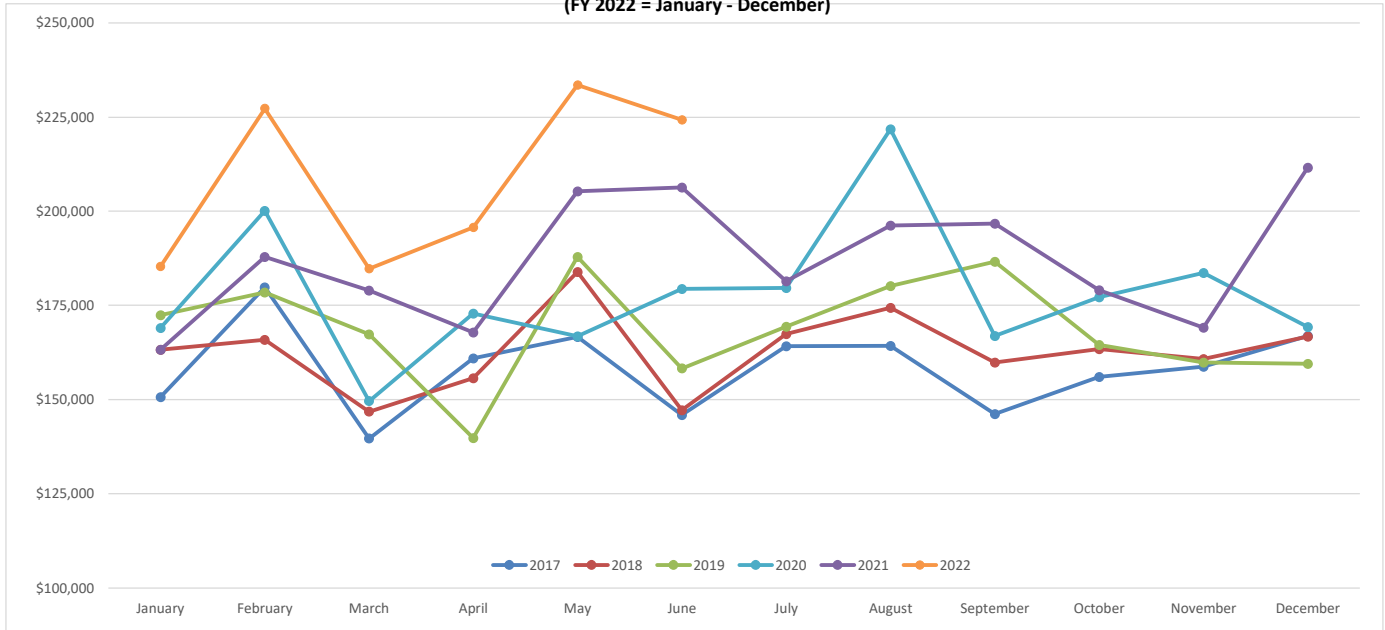
Sales Tax FY 2021 - FY2022 Comparison



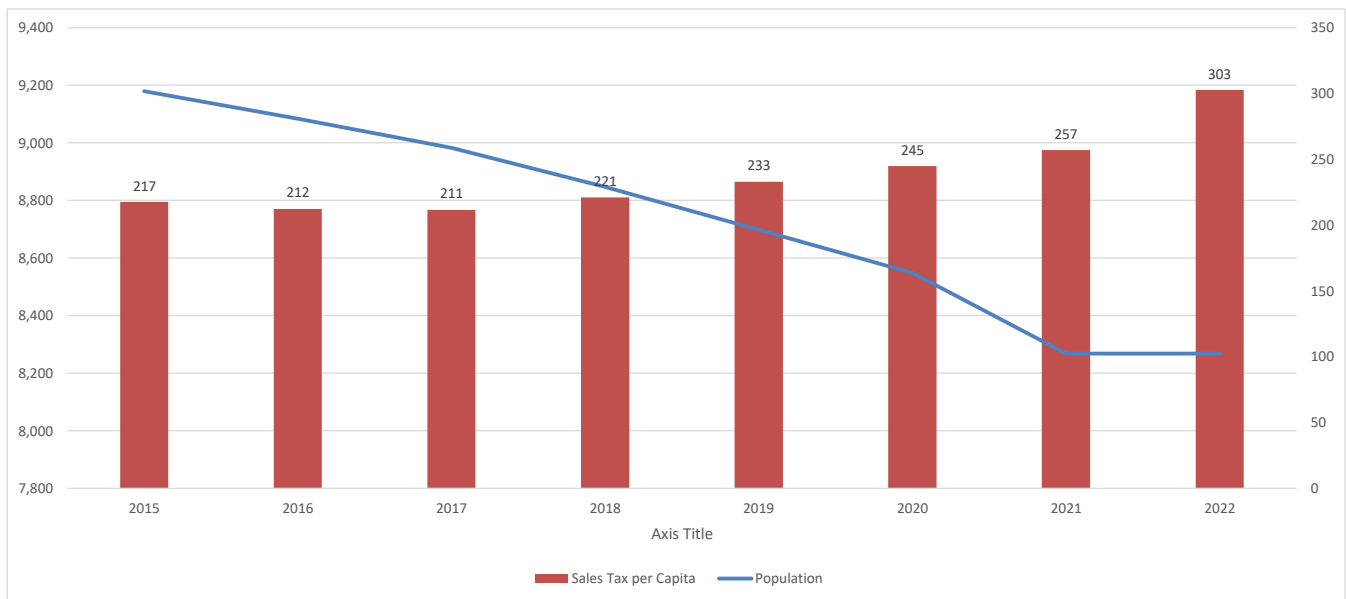
June 1% Sales Tax 10 Year History FY 2013 - FY2022



Sales Tax History Comparison - FY 2017 - FY2022 (FY 2022 = January - December)



Sales Tax per Capita and Population Trend



2022 Sales Tax - One Percent General Fund
Compensating Use Sales Tax and Sales Tax

