

INDEPENDENCE CITY COMMISSION

SPECIAL SESSION AGENDA

August 10, 2022

9:00 AM

City Hall -- 811 W. Laurel Street

To participate by conference call:
1 785-289-4727 Conference ID: 592 706 042#

The Agenda shall be as follows:

I. SPECIAL SESSION

A. Call to Order

II. ITEMS FOR COMMISSION ACTION

A. Consider adopting an ordinance amending Ordinance No. 4397 annexing land located at the Independence Municipal Airport, and consider initiating a public hearing to rezone such property from County I-1, Industrial to City M-2, heavy industrial zoning district.

B. Consider authorizing grant applications for funding for road improvements in the Airport Industrial Park

C. Consider setting the date for a Public Hearing to adopt the 2023 Budget.

III. ADJOURNMENT



REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
August 10, 2022

Department Admin

Director Approval Kelly Passauer

AGENDA ITEM Consider adopting an ordinance amending Ordinance No. 4397 annexing land located at the Independence Municipal Airport, and consider initiating a public hearing to rezone such property from County I-1, Industrial to City M-2, heavy industrial zoning district.

SUMMARY RECOMMENDATION Adopt the ordinance and reaffirm permission to initiate rezoning.

BACKGROUND On July 28, 2022 the City Commission adopted Ordinance 4397 annexing property at the Independence Airport. Since that meeting, the legal utilized in the ordinance has been modified to be more specific. Because of this, we are requesting an ordinance be adopted that amends the legal. Also, since the legal has been amended, we wish to reaffirm permission to initiate rezoning.

FINANCIAL INFORMATION The financial impact includes future property tax receipts and economic development opportunities.

SUGGESTED MOTION

1. I move to adopt Ordinance No. 4398, amending Ordinance No. 4397 annexing land located at the Independence Municipal Airport.
2. I move to reaffirm initiating a public hearing to rezone land recently annexed located at the Independence Municipal Airport from County I-1, Industrial to City M-2, heavy industrial zoning district.

SUPPORTING DOCUMENTS

1. Ordinance 4398 - Amending Ordinance 4397 - Annexing Land at the Airport
2. Ordinance 4397 - Annexing Land - Airport - Adopted 07/28/2022
3. Public Hearing Notice Airport County I-1 to City M-2

ORDINANCE NO. 4398

**An Ordinance Amending Ordinance No. 4397
Annexing Land Located at the Independence Municipal Airport
into the City of Independence, Kansas**

BE IT ORDAINED by the Governing Body of the City of Independence, Kansas:

Section 1. Ordinance No. 4397 adopted by the governing body on July 28, 2022, is amended to read as follows in its entirety:

Section 1. The following described land is owned by the City of Independence, Kansas; the governing body finds it advisable to annex the same; and it is hereby annexed and made part of the City of Independence, Kansas:

All that property not yet annexed into the City of Independence, located in the Independence Municipal Airport, being part of the SE/4 of Section 21, Township 33 South, Range 15 East, Montgomery County, Kansas, and located South of Freedom Drive and between First Avenue on the East and the taxi-way area on the West;

Also described as:

TRACT 1:

A tract of land located in a portion of the Southeast Quarter of Section 21, Township 33 South, Range 15 East of the 6th P.M., Montgomery County, Kansas, being more particularly described as written by William A. Booe, LS 1046, 5-5-2022:

Commencing at the Southeast corner of the Southeast Quarter; thence S 88°15'13" W, along the South line of the Southeast Quarter a distance of 1655.78 feet; thence N 01°24'44" W, a distance of 1005.10 feet; thence S 88°35'16" W, a distance of 321.77 feet; thence S 89°35'39" W, a distance of 80.00 feet; thence S 88°47'00" W, a distance of 158.02 feet to the Point of Beginning; thence S 88°47'00" W, a distance of 128.21 feet; thence S 01°20'36" E, a distance of 128.32 feet; thence N 88°47'00" E, a distance of 128.53 feet; thence N 01°29'10" W, a distance of 128.32 feet to the Point of Beginning. Containing 0.378 acres.

TRACT 2:

A tract of land located in a portion of the Southeast Quarter of Section 21, Township 33 South, Range 15 East of the 6th P.M., Montgomery County, Kansas, being more particularly described as written by William A. Booe, LS 1046, 5-5-2022:

Commencing at the Southeast corner of the Southeast Quarter;

thence S 88°15'13" W, along the South line of the Southeast Quarter a distance of 1655.78 feet; thence N 01°24'44" W, a distance of 1005.10 feet; thence S 88°35'16" W, a distance of 321.77 feet; thence S 89°35'39" W, a distance of 80.00 feet to the point of beginning; thence S 88°47'00" W, a distance of 158.02 feet; thence S 01°29'10" E a distance of 128.32 feet; thence S 88°47'00" W a distance of 128.53 feet; thence S 01°20'36" E a distance of 380.38 feet; thence N 88°51'48" E a distance of 287.45 feet; thence N 01°28'49" W a distance of 509.10 feet to the point of beginning. Containing 2.973 acres.

Section 2. This Ordinance shall take effect upon its publication in the official City newspaper.

Adopted by the Governing Body of the City of Independence, Kansas, on the 10th day of August, 2022.

DEAN A. HAYSE, Mayor

ATTEST:

DAVID W. SCHWENKER, City Clerk

ORDINANCE NO. 4397

**An Ordinance Annexing Land Located at the
Independence Municipal Airport to the City of Independence, Kansas**

BE IT ORDAINED by the Governing Body of the City of Independence, Kansas:

Section 1. Pursuant to the authority granted under K.S.A. 12-520(a)(2), the City hereby unilaterally annexes the following described real estate which is currently titled to the City of Independence, Kansas:

All that property not yet annexed into the City of Independence, but owned by the City of Independence, located in the Independence Municipal Airport, being part of the SE/4 of Section 21, Township 33 South, Range 15 East, Montgomery County, Kansas, and located South of Freedom Drive and between First Avenue on the East and the taxi-way area on the West.

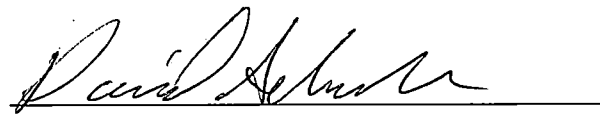
Section 2. This Ordinance shall take effect upon its publication in the official City newspaper.

Adopted by the Governing Body of the City of Independence, Kansas, on the 28th day of July, 2022.



ATTEST:


DEAN A. HAYSE, Mayor


DAVID W. SCHWENKER, City Clerk

City of Independence, Kansas

NOTICE TO THE PUBLIC

The Independence, Kansas, Planning Commission will conduct a public hearing on:

Tuesday, September 6, 2022, at 5:30 p.m.

To receive comments to consider rezoning property recently annexed at the Independence Municipal Airport from County I-1, industrial to City M-2, heavy industrial district.

All that property not yet annexed into the City of Independence, located in the Independence Municipal Airport, being part of the SE/4 of Section 21, Township 33 South, Range 15 East, Montgomery County, Kansas, and located South of Freedom Drive and between First Avenue on the East and the taxi-way area on the West;

Also described as:

TRACT 1:

A tract of land located in a portion of the Southeast Quarter of Section 21, Township 33 South, Range 15 East of the 6th P.M., Montgomery County, Kansas, being more particularly described as written by William A. Booe, LS 1046, 5-5-2022:

Commencing at the Southeast corner of the Southeast Quarter; thence S 88°15'13" W, along the South line of the Southeast Quarter a distance of 1655.78 feet; thence N 01°24'44" W, a distance of 1005.10 feet; thence S 88°35'16" W, a distance of 321.77 feet; thence S 89°35'39" W, a distance of 80.00 feet; thence S 88°47'00" W, a distance of 158.02 feet to the Point of Beginning; thence S 88°47'00" W, a distance of 128.21 feet; thence S 01°20'36" E, a distance of 128.32 feet; thence N 88°47'00" E, a distance of 128.53 feet; thence N 01°29'10" W, a distance of 128.32 feet to the Point of Beginning. Containing 0.378 acres.

TRACT 2:

A tract of land located in a portion of the Southeast Quarter of Section 21, Township 33 South, Range 15 East of the 6th P.M., Montgomery County, Kansas, being more particularly described as written by William A. Booe, LS 1046, 5-5-2022:

Commencing at the Southeast corner of the Southeast Quarter; thence S 88°15'13" W, along the South line of the Southeast Quarter a distance of 1655.78 feet; thence N 01°24'44" W, a distance of 1005.10 feet; thence S 88°35'16" W, a distance of 321.77 feet; thence S 89°35'39" W, a distance of 80.00 feet to the point of beginning; thence S 88°47'00" W, a distance of 158.02 feet; thence S 01°29'10" E a distance of 128.32 feet; thence S

88°47'00" W a distance of 128.53 feet; thence S 01°20'36" E a distance of 380.38 feet; thence N 88°51'48" E a distance of 287.45 feet; thence N 01°28'49" W a distance of 509.10 feet to the point of beginning. Containing 2.973 acres.

Case Number:

2022/ZA/06

The hearing will be conducted in the Civic Center, Memorial Hall, Penn/Locust, Independence, Kansas, and will begin at 5:30 p.m. All interested persons should attend, and they will be heard. You may also participate via conference call: [+1 785-289-4727](tel:+1785-289-4727) Conference ID: 652 632 373# Persons wishing to comment, but who cannot attend this hearing, should provide their written comments to:

Kelly Passauer
Zoning Administrator
811 W Laurel Street
Independence, KS 67301
(620) 332-2506

Information regarding this application is available in the Zoning Administrator's office. If special accommodation is required, please inform the Zoning Administrator.

Kelly Passauer, Zoning Administrator



REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
August 10, 2022

Department Finance

Director Approval Lacey Lies

AGENDA ITEM Consider authorizing grant applications for funding for road improvements in the Airport Industrial Park

SUMMARY RECOMMENDATION Authorize staff to submit grant applications for funding for road improvements in the Airport Industrial Park.

BACKGROUND The proposed scope for this project is: Improve Freedom Drive by resurfacing via asphalt overlay and milling in select locations. Replace the intersection of 1st Avenue and Freedom Drive with full depth concrete. Reconstruct 1st Avenue for 600 feet with 6 inches of asphalt over compacted base and subgrade. Construct the entrance on 1st Avenue with concrete.

FINANCIAL INFORMATION Total project cost is \$904,050. 70% (\$624,335) grant funded, 30% match (\$271,215) privately funded.

SUGGESTED MOTION I move to authorize city staff to submit KDOT Economic Development and/or KDOT Cost Share grant applications for proposed road improvements in the Airport Industrial Park.

SUPPORTING DOCUMENTS



REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
August 10, 2022

Department Finance

Director Approval Lacey Lies

AGENDA ITEM Consider setting the date for a Public Hearing to adopt the 2023 Budget.

SUMMARY RECOMMENDATION Set the 2023 Budget Public Hearing for September 8, 2022 at 5:30 pm.

BACKGROUND The attached proposed 2023 budget shows anticipated revenues and expenditures for the City's 16 currently budgeted funds. In addition, there is a new "Combined Special Highway & Streets" fund that separates previously general fund budgeted revenues for gasoline tax collections, pursuant to KSA 79-3425c.

FINANCIAL INFORMATION The proposed 2023 budget has the same mill rate as previous years, at 54.629 mills; total levy would equate to \$2,794,272.

SUGGESTED MOTION I move to set the 2023 Budget Public Hearing for September 8, 2022 at 5:30 pm.

SUPPORTING DOCUMENTS

1. Notice of Combined Rate and Budget Hearing - 2023 Budget

2023

NOTICE OF HEARING TO EXCEED REVENUE NEUTRAL RATE AND BUDGET HEARING

The governing body of
City of Independence

will meet on September 8, 2022 at 5:30 PM at Civic Center, Memorial Hall 410 N Penn Ave for the purpose of hearing and answering objections of taxpayers relating to the proposed use of all funds, the amount of ad valorem tax, and the Revenue Neutral Rate. Detailed budget information is available at City Clerk's Office and will be available at this hearing

BUDGET SUMMARY

Proposed Budget 2023 Expenditures and Amount of 2022 Ad Valorem Tax establish the maximum limits of the 2023 budget
Estimated Tax Rate is subject to change depending on the final assessed valuation.

FUND	Prior Year Actual for 2021		Current Year Estimate for 2022		Proposed Budget for 2023		
	Expenditures	Actual Tax Rate*	Expenditures	Actual Tax Rate*	Budget Authority for Expenditures	Amount of 2022 Ad Valorem Tax	Proposed Estimated Tax Rate*
General	7,649,900	34.458	8,008,953	34.980	8,445,097	1,777,244	34.745
Debt Service	1,052,425		1,047,940		2,435,073		
Library	265,431	4.871	233,859	4.006	239,989	204,602	4.000
Industrial	27,500	0.484	27,500	0.551	30,350	25,571	0.500
General Fund Employee Benefits	799,524	13.770	891,992	13.540	922,341	725,492	14.184
Liability Insurance	14,679	1.666	88,500	1.552	183,500	61,363	1.200
Combined Special Highway & Streets					612,983		
Eco Dev & Transportation	239,728		425,000		514,500		
Special Alcohol	30,000		30,000		30,000		
Educational Sales Tax	2,384,621		2,169,275		2,342,281		
Quality of Life Sales Tax	34,879		60,144				
Tourism	99,855		150,000				
Special Use Sales Tax	2,411,692		2,050,000		3,200,000		
Special Park & Recreation	26,000		39,000		49,000		
Airport	743,545		844,778		823,967		
Water & Sewer	5,173,958		5,714,570		5,708,215		
Sanitation	1,322,361		1,471,957		1,571,398		
Totals	22,276,098	55.249	23,253,468	54.629	27,108,694	2,794,272	54.629
Revenue Neutral Rate**							50.830
Less: Transfers	5,128,928		4,437,304		5,822,103		
Net Expenditure	17,147,170		18,816,164		21,286,591		
Total Tax Levied	2,599,488		2,599,982		xxxxxxxxxxxxxxxxxxxx		
Assessed							
Valuation	47,050,341		47,593,555		51,150,400		
Outstanding Indebtedness,							
January 1,	2020		2021		2022		
G.O. Bonds	5,310,000		4,400,000		4,400,000		
Revenue Bonds	20,775,000		18,455,000		24,955,000		
Other	10,219,609		8,895,858		3,467,889		
Lease Purchase Principal	720,678		590,329		590,329		
Total	37,025,286		32,341,187		33,413,218		

*Tax rates are expressed in mills

** Revenue Neutral Rate as defined by KSA 79-2988

Dean A. Hayse

Official Title: Mayor