

INDEPENDENCE CITY COMMISSION

REGULAR SESSION AGENDA

March 9, 2023

5:30 PM

Civic Center Memorial Hall

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

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 Expired Term

III. 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 donating surplus beds to a Community Crisis Team.

IV. EXECUTIVE SESSION

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

V. ITEMS FOR COMMISSION ACTION

- A. Consider Proclaiming April 28, 2023 as Arbor Day.
- B. Consider amending the original terms of the Labette Health Incentive Agreement
- C. Consider a resolution to rescind the condemnation action of 217 N. 12th Street and 609 W. Laurel Street.
- D. Consider awarding demolition bids.

VI. REPORTS

- A. City Board Minutes
- B. Sales Tax Report

VII. CITY MANAGER'S COMMENTS

VIII. COMMISSIONERS' COMMENTS

IX. PUBLIC CONCERNS

X. ADJOURNMENT



**REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
March 9, 2023**

Department Admin

Director Approval Kelly Passauer

AGENDA ITEM Tree Board -- One Expired Term

SUMMARY RECOMMENDATION Appoint Leslie Woods to a 1st term.

BACKGROUND One term has expired on the Tree Board which has yet to be filled.

TREE BOARD (2 year terms – 7 members)			
Members	Term	Expires	Appointed/Eligible
Twila Hawthorne	3rd term	6/1/2024	1/24/2019
Krystal Sumner	1st term	6/1/2024	6/9/2022
Michelle Avery	4th term	6/1/2023	6/8/2017
Amy Hilyard	Unexpired	6/1/2023	Appointed 10/13/2022
Leslie Fox	4th term	6/1/2023	6/8/2017
England Porter	3rd term	1/1/2025	3/28/2019
William MacRae	1st term	1/1/2023	3/11/2021
Meeting Place: Veterans Room, Memorial Hall			
Meeting Date: By appointment			
Meeting Time: By appointment			

The purpose of the Tree Board is to honor the City's rich history of enjoying and preserving local natural resources, and to promote and protect the public health, safety and general welfare by providing for the development of a community forestry plan to address the planting, maintenance and removal of trees located on public property, or which encroach upon public property, and to enhance the natural beauty of the community. For more information, contact Scott Patton at ScottS@IndependenceKs.gov or 620-332-2512; or visit this link: [Tree Board City Code](#)

Applications were due by March 3, 2023 for one position. We received one application from Leslie Woods.

FINANCIAL INFORMATION N/A

SUGGESTED MOTION I move to appoint Leslie Woods to a 1st term on the Tree Board ending on January 1, 2025.

SUPPORTING DOCUMENTS

1. LeslieWoods-Online Form Submittal_ Board Application_Redacted

From: noreply@civicplus.com
To: [Kelly Passauer](#)
Subject: Online Form Submittal: Board Application
Date: Tuesday, February 28, 2023 12:17:35 PM

Board Application

Board Applying For:	Tree Board
Name	Leslie Woods
Date	2/28/2023
Address	2800 Rolling Green Drive Independence, KS 67301
Email Address	[REDACTED]
Phone Number	[REDACTED]
Educational Background:	
High School Name and Location	Independence High School Independence Kansas
Graduated/Degree	2004
College Name and Location	University of Kansas Lawrence Kansas
Graduated/Degree	2009 BGS
Major	Environmental Studies
Other Education Name and Location	<i>Field not completed.</i>
Graduated/Degree	<i>Field not completed.</i>
Emphasis	<i>Field not completed.</i>
Do you reside inside the corporate limits of the City of Independence?	Yes
If no, do you reside within 3 miles of the corporate limits of the City of Independence?	<i>Field not completed.</i>

What experiences have you had that you feel would assist you as a board member?	Various hands on experience/knowledge working with plants and trees.
Why do you want to become a member of the board?	To volunteer within my community in a way that will bring aesthetic value and beauty for all to enjoy!
Do you feel that there are any issues needing immediate attention by the board? If so, please explain.	<i>Field not completed.</i>
Other comments:	<i>Field not completed.</i>

Email not displaying correctly? [View it in your browser.](#)



**REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
March 9, 2023**

Department Fire-EMS

Director Approval Shawn Wallis

AGENDA ITEM Consider donating surplus beds to a Community Crisis Team.

SUMMARY RECOMMENDATION Allow City staff to donate old hospital beds to a Community Crisis Team.

BACKGROUND Mercy hospital left some patient beds used for sleep studies when they vacated the hospital. I would like to donate these beds to a Community Crisis team led by Vic Gorman for his crew to supply them to people in the community who need beds.

FINANCIAL INFORMATION N/A

SUGGESTED MOTION I move to authorize City staff to donate surplus beds to a Community Crisis Team.

SUPPORTING DOCUMENTS



**REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
March 9, 2023**

Department Admin

Director Approval Kelly Passauer

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

SUMMARY RECOMMENDATION Go into executive session for 15 minutes.

BACKGROUND

FINANCIAL INFORMATION

SUGGESTED MOTION I move that we recess for an executive session for consultation with an attorney representing the City regarding a legal issue pursuant to the attorney/client privilege exception found at KSA 75-4319(b)(2). The open meeting will resume at _____ o'clock p.m. (15 minutes) in the Civic Center of Memorial Hall.

SUPPORTING DOCUMENTS



**REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
March 9, 2023**

Department Park, Zoo & Cemetery

Director Approval Scott Patton

AGENDA ITEM Consider Proclaiming April 28, 2023 as Arbor Day.

SUMMARY RECOMMENDATION Adopt the Proclamation.

BACKGROUND On February 25th, 2016 The City Commission approved Ordinance # 4214 creating a Tree Board to honor the city's rich history of enjoying and preserving local natural resources and to promote and protect public health, safety, and general welfare by providing for the development of a Community Forestry Plan to address the planting, maintenance, and removal of trees located on public property, or which encroach upon public property, and to enhance the natural beauty of the community.

This year the Tree Board plans on celebrating Arbor Day on Friday, April 28th, 2023. This is the first step in renewing our recertification for Tree City USA.

FINANCIAL INFORMATION N/A

SUGGESTED MOTION I move to sign the Arbor Day Proclamation for April 28, 2023.

SUPPORTING DOCUMENTS

1. Arbor Day Proclamation Template



OFFICIAL PROCLAMATION

WHEREAS in 1872, the Nebraska Board of Agriculture established a special day to be set aside for the planting of trees, *and*

WHEREAS this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, *and*

WHEREAS Arbor Day is now observed throughout the nation and the world, *and*

WHEREAS trees can be a solution to combating climate change by reducing the erosion of our precious topsoil by wind and water, cutting heating and cooling costs, moderating the temperature, cleaning the air, producing life-giving oxygen, and providing habitat for wildlife, *and*

WHEREAS trees are a renewable resource giving us paper, wood for our homes, fuel for our fires, and countless other wood products, *and*

WHEREAS trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, *and*

WHEREAS trees — wherever they are planted — are a source of joy and spiritual renewal.

NOW, THEREFORE, I, _____, Mayor of the City of _____, do hereby proclaim _____ as **ARBOR DAY**
In the City of _____, and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, *and*

FURTHER, I urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

DATED THIS _____ day of _____, _____
Mayor _____



**REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
March 9, 2023**

Department Finance

Director Approval Lacey Lies

AGENDA ITEM Consider amending the original terms of the Labette Health Incentive Agreement

SUMMARY RECOMMENDATION Approve amendment.

BACKGROUND This item is to request amending the original terms of the Labette Health Incentive Agreement, entered into on March 25, 2021. In the original agreement, we defined residency as the city's public utility service area. We have found this definition to be administratively burdensome to report accurately. We request to modify the definition of residency to the area code 67301. The Economic Development Advisory Board reviewed this request at their March 7, 2023 meeting and recommended approval.

FINANCIAL INFORMATION This is a \$1M Incentive Agreement payable in ten (10) equal installments of \$100,000 over a ten (10) year period beginning in March 2023 and ending March 2032. This incentive grant shall be paid out of the City's Economic Development Fund.

SUGGESTED MOTION I move to approve amending the original terms of the March 25, 2021 Labette Health Incentive Agreement, as presented.

SUPPORTING DOCUMENTS

1. Letter Request to Amend Residency Definition - Independence Economic Incentive Agreement
2. Update for Independence Economic Development and the Commission
3. Labette Health-Incentive_Amendment of Original Terms



February 28, 2023

Mayor Louis Ysusi and Mr. Chuck Goad
City Commission and Economic Development Advisory Board
811 West Laurel Street
Independence, KS 67301

Dear Mayor Ysusi and Chuck:

On March 25, 2021, we entered into an Incentive Grant Agreement for Labette Health Independence Healthcare Center. In the agreement, we defined residency by the City's public utility service area intending for this to be more expansive than the City Limits of Independence, Kansas. We have found this definition to be administratively burdensome to report accurately and is actually less expansive than defining residency by the 67301 Zip Code.

We therefore request that we utilize the 67301 Zip Code for defining residency in support of this Incentive Grant. We briefly discussed this with city staff sometime back in 2022 but did not follow-up with a written request.

As a point of reference, in our June 8, 2017 Economic Development Grant Agreement, we utilized Montgomery County as our residency definition.

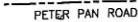
Thank you in advance for your kind consideration of this request. We appreciate and value your support of our efforts in Independence, KS.

Sincerely,

Brian A. Williams
President and CEO

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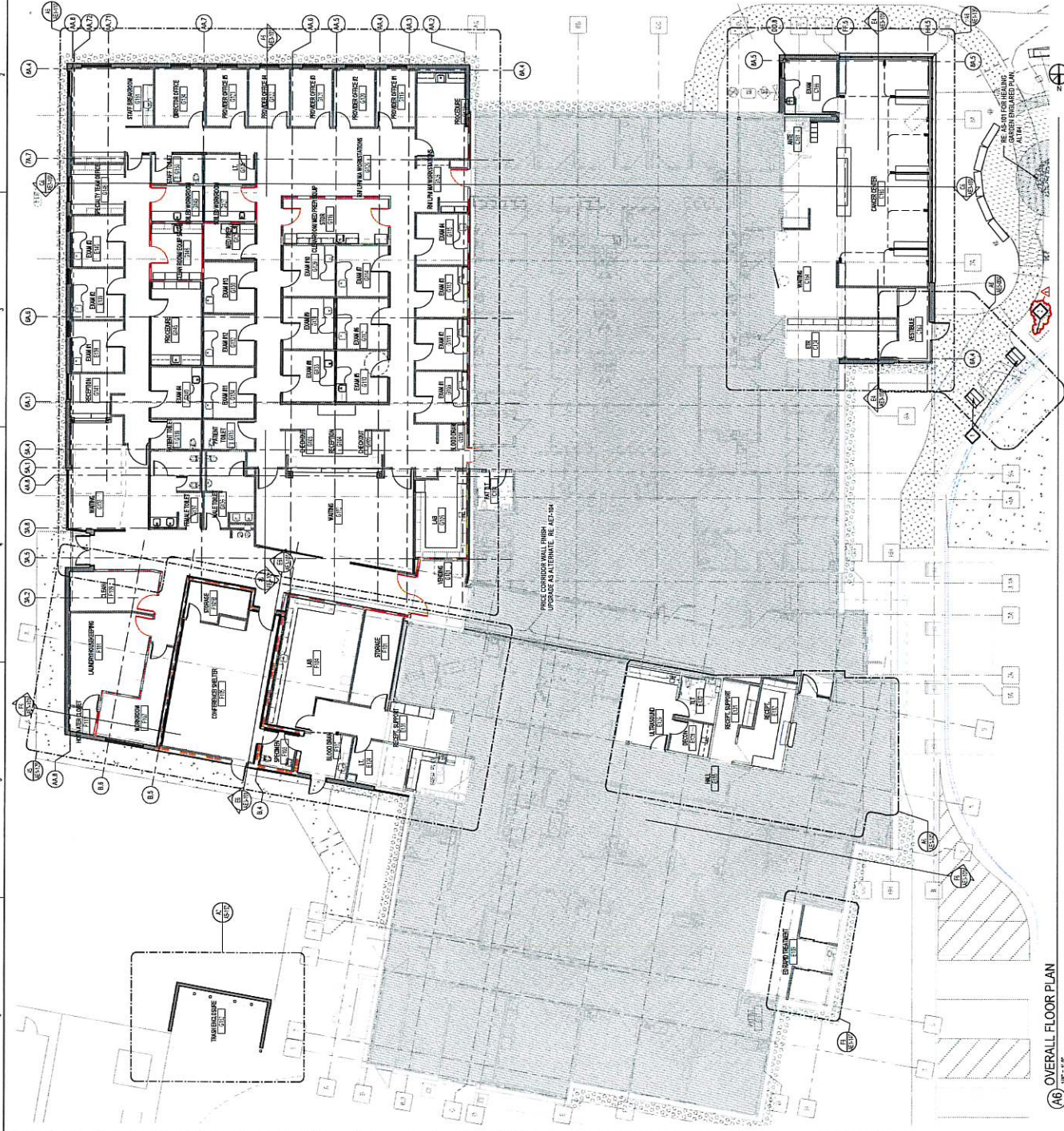


KEYED NOTES - OVERALL PLAN

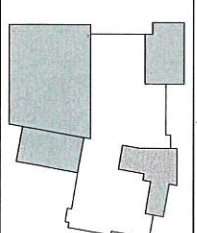
1. EXISTING CONSTRUCTION IS INDICATED BY DASHED LINES IN RED.

2. NEW CONSTRUCTION IS INDICATED BY SOLID LINES IN RED.

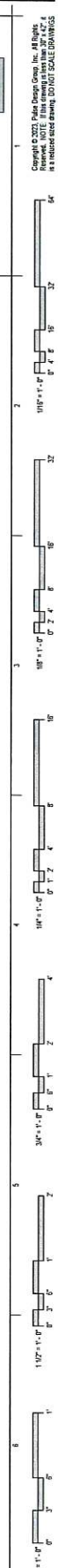
3. RELOCATED EXISTING CONSTRUCTION IS INDICATED BY DASHED LINES IN RED WITH A RED OUTLINE.

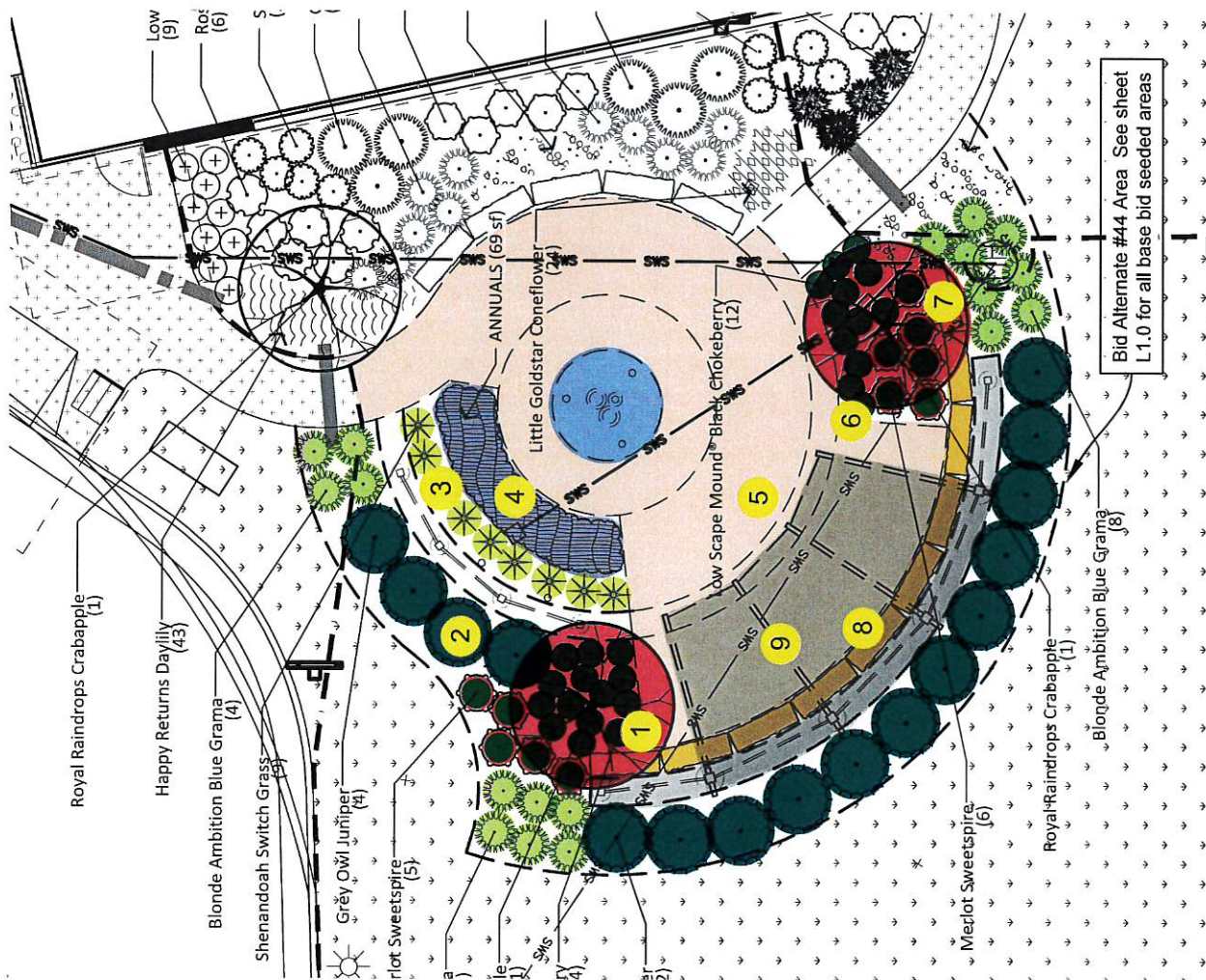


KEY PLAN

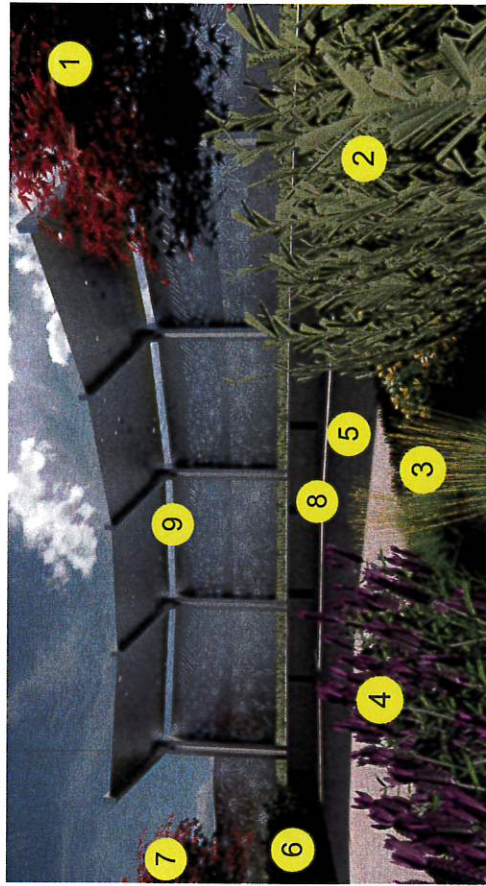


OVERALL FLOOR PLAN





SHADE STRUCTURE - OPTION C



**AMENDMENT TO THE INCENTIVE GRANT AGREEMENT FOR
LABETTE HEALTH INDEPENDENCE HEALTHCARE CENTER**

This Amendment to the Incentive Grant Agreement for Labette Health Independence Healthcare Center is entered into by and between the City of Independence, Kansas, a municipal corporation, hereafter CITY, and Labette County Medical Center d/b/a Labette Health, hereafter LABETTE HEALTH, on this 9th day of March, 2023.

WHEREAS, the parties hereto previously entered into an Incentive Grant Agreement For Labette Health Independence Healthcare Center, dated March 25, 2021; and

WHEREAS, the parties desire to amend certain portions of said Agreement.

Now Therefore, in consideration of the mutual covenants and agreements hereinafter contained, the parties agree as follows:

A. Paragraph 2 of the Incentive Grant Agreement For Labette Health Independence Healthcare Center, dated March 25, 2021 shall be amended to read as follows:

2. Employment Requirements. LABETTE HEALTH will provide documentation to the CITY of its hiring and maintaining the number of new full time equivalent (FTE) employees who reside within the zip code 67301 working at the Independence Healthcare Center over the base employment established on December 31, 2021, during each subsequent year as set forth in the schedule below. Two (2) of the new employees hired by LABETTE HEALTH at any time after the Effective Date and before September 30, 2024, shall be family practice physicians. Should less than the stated number of new employees be hired and maintained during the applicable year, the annual incentive grant payment for that period will be discounted on a pro rata basis. Notwithstanding the foregoing, LABETTE HEALTH must hire on or before September 30, 2024 and maintain the employment of two (2) family practice physicians that reside within the zip code 67301 to receive any portion of the subsequent payments. The parties realize and acknowledge that LABETTE HEALTH may experience employment turnover for reasons unrelated to this agreement, and that a reasonable period of time shall be granted to LABETTE HEALTH to hire replacement employees in order to maintain employment levels as set forth in this Agreement.

Year	New Hires During the Year	New Hires During the Year who reside within 67301 area code	Cumulative New Employees Above Base Employment on 12/31/2021
2022	4	4	4
2023	4	4	8
2024	3	3	11
2025	1	1	12
2026	1	1	13
Total	13	13	

- B. All provisions of the Incentive Grant Agreement For Labette Health Independence Healthcare Center, dated March 25, 2021 which are not specifically amended herein shall remain in full force and effect.

CITY OF INDEPENDENCE, KANSAS

By: _____
Louis Ysusi, Mayor

ATTEST:

David W. Schwenker, City Clerk

LABETTE COUNTY MEDICAL CENTER
d/b/a LABETTE HEALTH

By: _____
Brian Williams, President & CEO



**REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
March 9, 2023**

Department Admin

Director Approval David Cowan

AGENDA ITEM Consider a resolution to rescind the condemnation action of 217 N. 12th Street and 609 W. Laurel Street.

SUMMARY RECOMMENDATION City staff recommends the City Commission rescind the condemnation of 217 N. 12th Street and 609 W. Laurel Street.

BACKGROUND On February 23, 2023 the City Commission set a Public Hearing to consider the condemnation of 217 N. 12th Street and 609 W. Laurel Street due to a fire that destroyed both structures. The property owners have hired a private contractor, and the structures have been removed and inspected to ensure they meet City standards. Although a resolution condemning this property was not adopted, a resolution was filed with the Register of Deeds when the property was initially scheduled for a public hearing. Therefore, in order to ensure no documents are clouding the title, it is recommended to adopt a resolution rescinding condemnation action, which will also be filed with the Register of Deeds.

FINANCIAL INFORMATION There is no financial impact to the City.

SUGGESTED MOTION I move to adopt resolutions rescinding previous resolutions, which set a hearing date to consider the condemnation of 217 N. 12th Street and 609 W. Laurel Street as dangerous and unsafe and return any insurance proceeds the City may have received.

SUPPORTING DOCUMENTS

1. RESOLUTION 2023-011 - RESCIND CONDEMNATION - 217 N 12th
2. RESOLUTION 2023-012 - RESCIND CONDEMNATION - 609 W Laurel
3. 20230302_100536
4. 20230302_100619

RESOLUTION NO. 2023-011

A RESOLUTION RESCINDING A PREVIOUS RESOLUTION WHICH SET A HEARING DATE TO CONSIDER CONDEMNATION

WHEREAS, the Governing Body of the City of Independence, Kansas, previously adopted a resolution setting a hearing to consider condemning certain property located within the City as being dangerous and unsafe;

AND WHEREAS, the owner of said property has taken steps to make repairs and/or improvements to the property.

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

The resolution setting a hearing to consider condemning the following described property as being dangerous and unsafe is hereby rescinded and the property is released from all condemnation proceedings:

Legal Description

The East 100 feet of Lot 1, and the East 100 feet of the North 15 feet of Lot 2, Block 36 of the Original Plat to the City of Independence, Montgomery County, Kansas, including an easement over and across the West 40 feet of Lot 1, and the West 40 feet of the North 15 feet of Lot 2, Block 36 of the Original Plat to the City of Independence, Montgomery County, Kansas.

Common Address

217 N 12th Street

Mortgage

Adopted this 9th day of March, 2023.

(SEAL)

Mayor

City Clerk

RESOLUTION NO. 2023-012

A RESOLUTION RESCINDING A PREVIOUS RESOLUTION WHICH SET A HEARING DATE TO CONSIDER CONDEMNATION

WHEREAS, the Governing Body of the City of Independence, Kansas, previously adopted a resolution setting a hearing to consider condemning certain property located within the City as being dangerous and unsafe;

AND WHEREAS, the owner of said property has taken steps to make repairs and/or improvements to the property.

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

The resolution setting a hearing to consider condemning the following described property as being dangerous and unsafe is hereby rescinded and the property is released from all condemnation proceedings:

Legal Description

The West 40 feet of Lot 1, and the West 40 feet of the North 15 feet of Lot 2, Block 36 of the Original Plat to the City of Independence, Montgomery County, Kansas.

Common Address

609 W Laurel Street

Mortgage

Adopted this 9th day of March, 2023.

(SEAL)

Mayor

City Clerk







**REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
March 9, 2023**

Department Admin

Director Approval David Cowan

AGENDA ITEM Consider awarding demolition bids.

SUMMARY RECOMMENDATION City Staff recommends awarding the low bid per structure. 4 structures to JRB Industries and 3 structures to Mega.

BACKGROUND The City of Independence received bids for the removal of the following properties:

1. 1016 W. Myrtle
2. 1105 W. Myrtle
3. 1109 W. Myrtle
4. 108 S. Wald (garage only in rear)
5. 414 S. 14th
6. 515 S. 10th
7. 1117 W. Laurel St.

	JRB Single	Mega - Single	Low Bids	Combined bid (JRB)	Combined bid (Mega)
1016 W. Myrtle	3,000	3,000	3,000	3,000	3,000
1105 W. Myrtle	6,500	4,900	4,900	6,500	4,900
1109 W. Myrtle	6,000	5,900	5,900	6,000	5,900
108 S. Wald Garage	1,000	2,900	1,000	500	2,900
414 S. 14th St.	6,500	12,900	6,500	6,000	12500
515 S. 10th St.	14,000	11,900	11,900	14,000	11,900
1117 W Laurel St.	6,000	6,900	6,000	5,500	6,900
	43,000	48,400	39,200	41,500	48,000

FINANCIAL INFORMATION The City has budgeted \$50,000 for demolitions in 2023. The cost for demolition of all 7 structures is \$39,200.

SUGGESTED MOTION I move to award single structure low bids as following: 1016 W. Myrtle, 108 S. Wald Garage, 414 S. 14th and 1117 W Laurel St. to JRB Industries for a total of \$16,500 and 1105 W. Myrtle, 1109 W. Myrtle, and 515 S. 10th St. to Mega for a total of \$22,700.

SUPPORTING DOCUMENTS

1. JRB Industries
2. MEGA LLC



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:

- 1016 W. Myrtle 3,000⁰⁰
- 1105 W. Myrtle 6,500⁰⁰
- 1109 W. Myrtle 6,000⁰⁰
- 108 S. Wald (garage only in rear) 1,000⁰⁰
- 414 S. 14th 6,500⁰⁰
- 515 S. 10th Street 14,000⁰⁰
- 1117 W. Laurel St. 6,000⁰⁰

Total:

\$43,000⁰⁰

B. Combined Bid:

3,000⁰⁰
6,500⁰⁰
6,000⁰⁰
1,000⁰⁰
6,500⁰⁰
14,000⁰⁰
5,500⁰⁰

Total: \$41,500⁰⁰

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)

PO Box 603, Parsons, Ks. 67357
Address

James R. Beachner
Signature

Feb - 28, 2023
Date

President
Title

620-423-1070
Contact Phone Number

james.beachner@gmail.com
Email



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:

- 1016 W. Myrtle 3000⁰⁰
- 1105 W. Myrtle 4900⁰⁰
- 1109 W. Myrtle 5900⁰⁰
- 108 S. Wald (garage only in rear) 2900⁰⁰
- 414 S. 14th 12900⁰⁰
- 515 S. 10th Street ~~11900~~ 11900⁰⁰
- 1117 W. Laurel St. 6900⁰⁰

Total:

\$ 48400⁰⁰

B. Combined Bid:

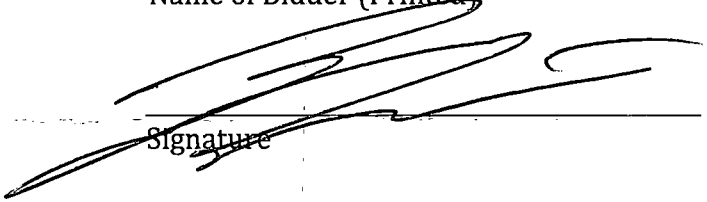
3000⁰⁰
4900⁰⁰
5900⁰⁰
2900⁰⁰
12500⁰⁰
11900⁰⁰
6900⁰⁰

Total: \$ 48000⁰⁰

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 CR 3800
Address Independence KS 67301


Signature

3-2-23
Date

Owner
Title

620-265-7920
Contact Phone Number

Dirt Dude 1760@gmail.com
Email
Browning mega@gmail.com



BID FORM BUILDING DEMOLITION

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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.

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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.



Report
CITY OF INDEPENDENCE
March 9, 2023

Department Admin

Director Approval Kelly Passauer

AGENDA ITEM City Board Minutes

BACKGROUND

SUPPORTING DOCUMENTS

1. February 15, 2023 Library Board Meeting Minutes

**Independence Public Library Board of Trustees Minutes
Wednesday, February 15, 2023**

REGULAR SESSION

Board Members Present: Michelle Anderson, Chairman, Trustees: Rachel Koszalka, Tom Sewell, Carolyn Torrance, Ron Schwatken, England Porter

Also Attending: Library Director Jeri Hopkins, Assistant Director John Long and Recording Secretary Gloria McCoy.

- I CALL TO ORDER:** Michelle Anderson called the meeting to order at 5:20 p.m.
- **Adoption of Agenda:** England P. moved and Tom S. seconded a motion to approve the agenda as printed. Motion carried.
 - **Approval of Minutes:** Minutes of the January meeting were approved with correction to be made to the Executive Session wording. The wording for the Executive Session “Michelle A. made a motion “I move we go into executive session to discuss an individual employee’s performance pursuant to non-elected personnel exception under KOMA, and the opening meeting will resume in this room at 5:40 p.m. No Action taken and meeting was resumed at 5:40 p.m. Corrections noted, motion was made by England P. to approve the minutes with correction and Carolyn T. seconded. Motion carried
- II CONSENT AGENDA:** The consent agenda was adopted as presented. Total expenses for bills for the month of December 2022 (\$66,428.70) and January 2023 (\$49,654.19).
- III EXECUTIVE SESSION**
- Michelle A. made a motion to go into Executive Session to discuss the conduct or status of negotiations pursuant to the employer-employee negotiations under KOMA, and the open meeting will resume in this room at 5:40 p.m. Carolyn T. seconded the motion. Motion carried. No Action taken and meeting was resumed at 5:40 p.m.
- IV STAFF REPORT:**
- Telework – Community Senior Service Center going well.
 - Interviewing two candidates for the position. Very qualified. Candidates had to plan an event using Excel and PowerPoint.
 - Jeri had to redo reports with QuickBooks.
- Library Presence in the Community**

- Two Directors of nursing home and 2 Commissioners came.to the Senior Center.
- The City is excited about the Center.
- By-laws are being created for the new Board.
- A coffee group of approximately 30 persons meet at the Laurel Street Bakery and all the seniors are excited about the Senior Center.
- A women's group (Women for Kansas) is talking about the Senior Center.
- Fundraiser "Murder In Maui" was a lot FUN!!

V UPCOMING ADVOCACY EVENTS

- Beats and Bards Bazaar – Open Mic & Market Night!! - Monthly on the Fourth Wednesday starting at 6:00 p.m.
- Leadership Book Discussion on 28 February 2023, at 6:00 p.m.

VI COMMENTS FROM MEMBERS OF THE BOARD

- Everyone is pleased with the Senior Center and how well the seniors and community are accepting it.

VII Adjournment: Meeting adjourned at 6:20p.m. The next regular meeting is scheduled for Wednesday, MARCH 15, 2023, at 5:15 p.m.

Ron Schwatken

Date of Approval:



Report
CITY OF INDEPENDENCE
March 9, 2023

Department Finance

Director Approval Lacey Lies

AGENDA ITEM Sales Tax Report

BACKGROUND

SUPPORTING DOCUMENTS

1. January 2023 Sales Tax Report
2. February 2023 Sales Tax Report



SALES TAX REPORT JANUARY 2023

City of Independence Kansas

CITY OF INDEPENDENCE REPORT ON 1% SALES TAX REPORTED FOR JANUARY 2023.

3% Sales Tax is collected in the City of Independence.
1% for General Fund Support; 1% for Education; and
1% for Special Uses.

Lacey Lies
Finance Director



Sales Tax Report for January 2023

Sales and Use taxes are Independence's largest funding source. The City receives a portion of the overall sales taxes you pay within city limits for use as indicated below. The projected revenue generated from all sales and use taxes for 2023 is \$6,750,000, which is 57% higher than all ad valorem taxes generated for the City.

Sales Tax Breakdown	Percent
City of Independence General Fund Sales Tax	1.00%
City of Independence Educational Sales Tax	1.00%
City of Independence Special Use Sales Tax	1.00%
General Fund Support	0.25%
Debt Support	0.31%
Economic Development	0.05%
Building & Facility	0.12%
Streets	0.27%
CITY TOTAL	3.00%
State of Kansas	6.50%
TOTAL SALES TAX	9.50%

The amounts listed in this report represent 1% Sales Tax Collections. 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 January receipts shown in this report were from sales in November 2022.

- **January** receipts totaled **\$192,816**, which is an **INCREASE of \$7,476** from January 2022, or **up 4.0%** (see Graph 2, “January 1% Sales Tax 10 Year History”).
- January 2023 receipts are the **HIGHEST January** receipts in the 10-year history, (see Graph 2, “January 1% Sales Tax 10 Year History”).
- Annualized FY 2023 sales tax collected (with one month reported) is **\$2,313,792**, or **\$63,792 over** our **budgeted** amount of \$2,250,000, or **2.8% higher than the budget**.
- With one month reported, we have **collected 8.6%** of the FY 2023 budgeted amount of \$2,250,000.
- The **Compensating Use** sales tax portion made up **16.5%** of the \$192,816 total (\$31,780) (see Graph 5 “2022 1% Sales Tax – Monthly/Compensating Use Sales Tax and Sales Tax.”).

THANK YOU
For Shopping Local!



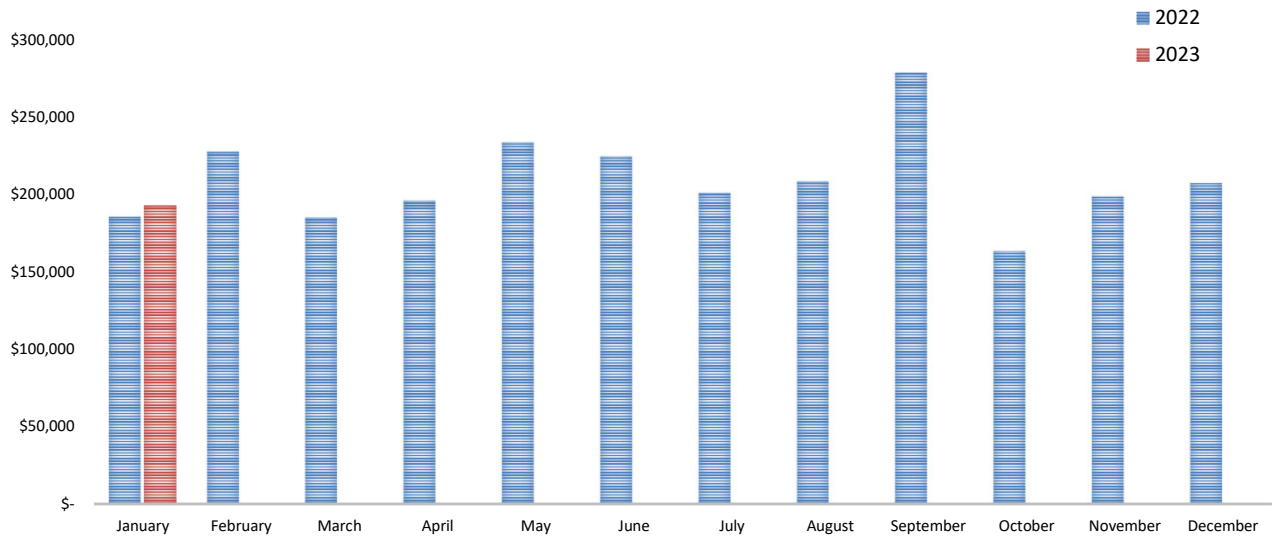


City of Independence Sales Tax - 1%

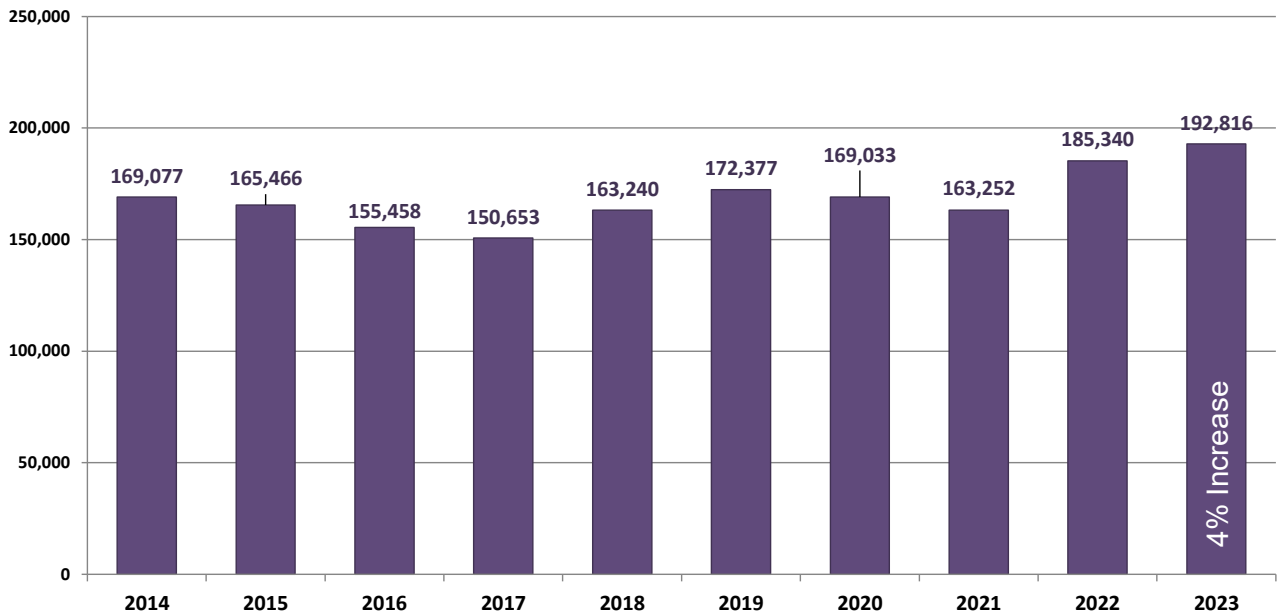
Comparison and History January - January 2023

	Fiscal Year	Fiscal Year	Fiscal Year	Fiscal Year	Fiscal Year	Fiscal Year	% Change	% Change
Month	2018	2019	2020	2021	2022	2023	FY 22-23	YTD
January	163,240	172,377	169,033	163,252	185,340	192,816	4.0%	4.0%
February	165,834	178,399	200,053	187,879	227,272			-53.3%
March	146,833	167,292	149,607	178,907	184,767			-67.7%
April	155,702	139,790	172,804	167,798	195,697			-75.7%
May	183,899	187,854	166,798	205,282	233,465			-81.2%
June	147,180	158,263	179,353	206,304	224,267			-84.6%
July	167,392	169,308	179,594	181,396	200,760			-86.7%
August	174,341	180,142	221,770	196,182	208,086			-88.4%
September	159,813	186,618	166,847	196,679	278,674			-90.1%
October	163,360	164,463	177,190	179,011	163,298			-90.8%
November	160,797	159,872	183,599	169,058	198,402			-91.6%
December	166,699	159,474	169,275	211,556	207,198			-92.3%
Total:	\$ 1,955,089	\$ 2,023,851	\$ 2,135,922	\$ 2,243,303	\$ 2,507,226	\$ 192,816		
% change	3%	4%	6%	10.8%	17.4%	-91.4%		
		Annual Budget	\$ 2,135,922	\$ 2,243,303	\$ 2,507,226	\$ 2,313,792	\$ (193,433)	
			\$ 1,931,101	\$ 1,935,000	\$ 2,050,000	\$ 2,250,000	\$ 200,000	
Collections Over (under) Budget			\$ 204,821	\$ 308,303	\$ 457,226	\$ 63,792		
			Projected % Over PY Actual		11.8%	-7.7%		
			YTD % of Budget Collected		122.3%	8.6%		
			Projected % Over Budget		22.3%	2.8%		

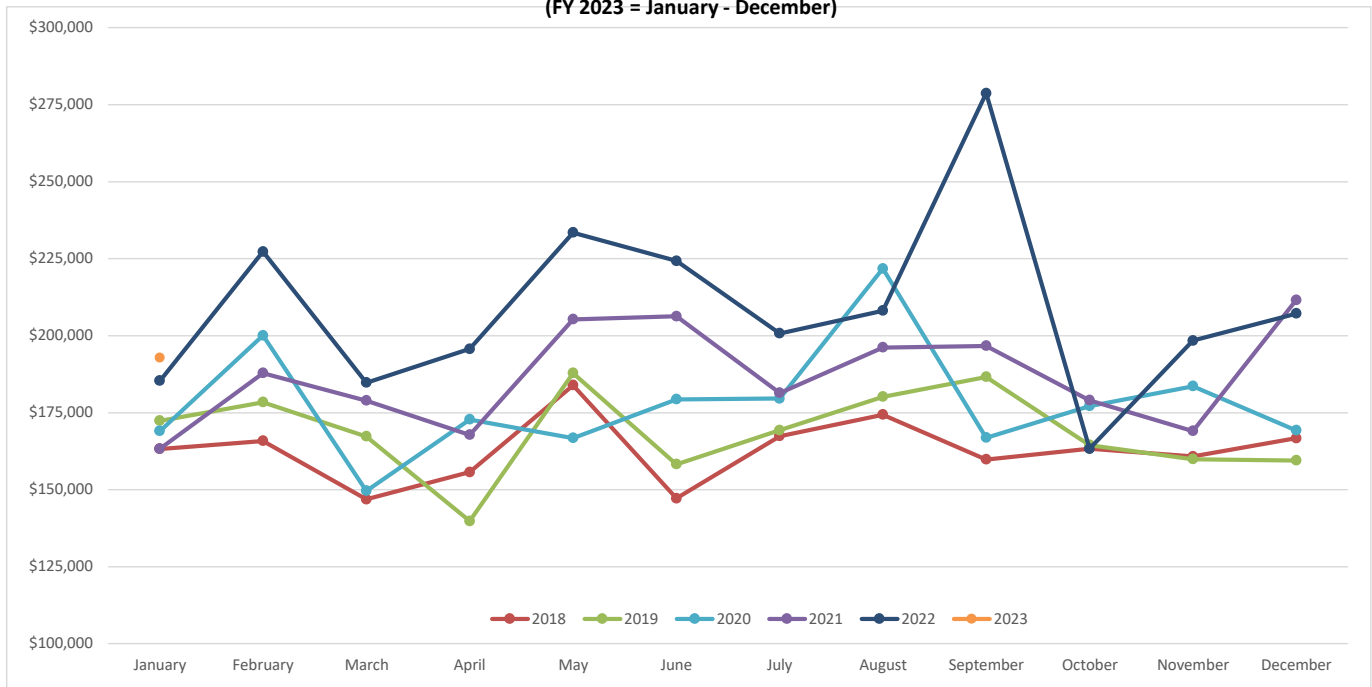
Sales Tax FY 2022 - FY 2023 Comparison



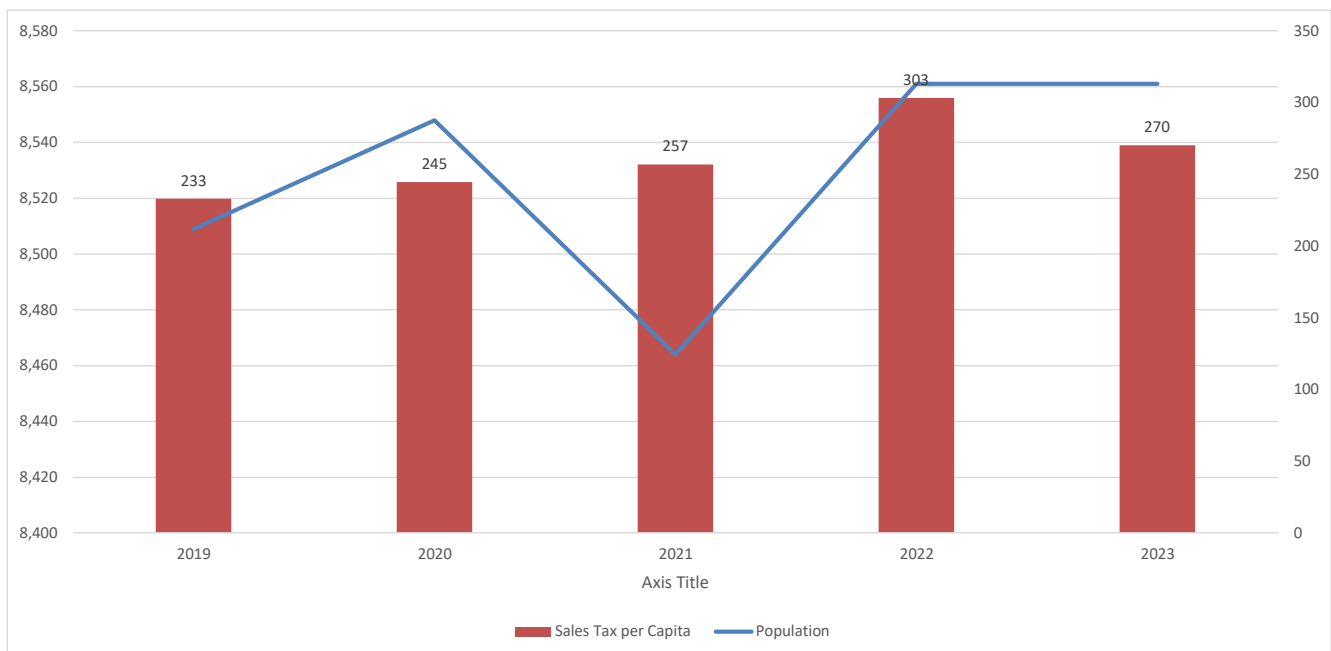
January 1% Sales Tax 10 Year History FY 2014 - FY 2023



Sales Tax History Comparison - FY 2018 - FY 2023 (FY 2023 = January - December)

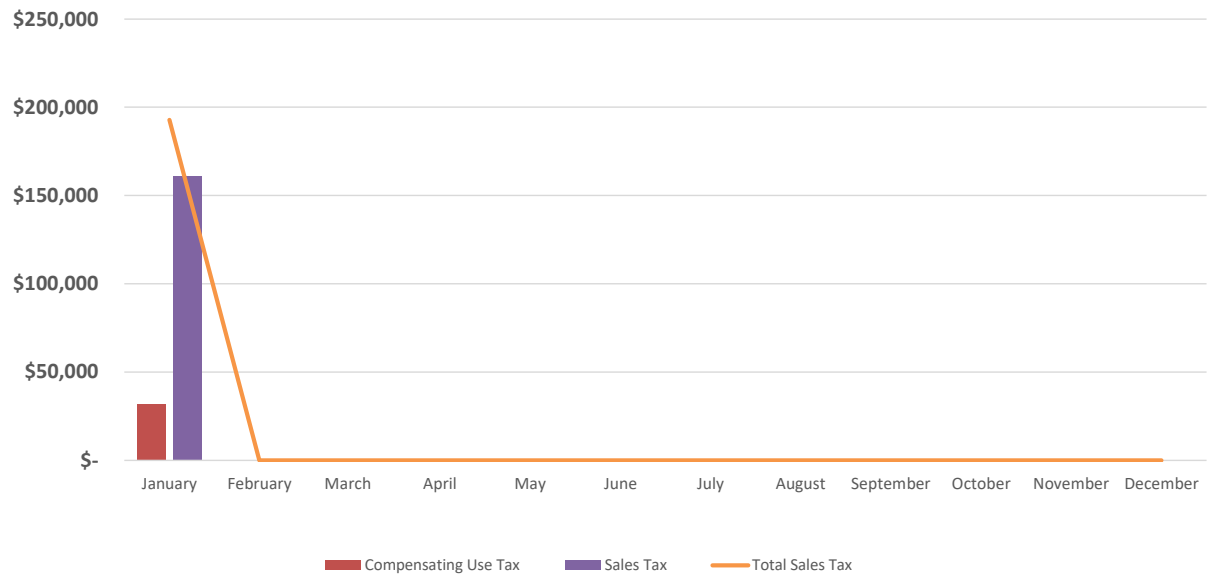


Sales Tax per Capita and Population Trend



2023 Sales Tax - One Percent General Fund

Compensating Use Sales Tax and Sales Tax





SALES TAX REPORT FEBRUARY 2023

City of Independence Kansas

CITY OF INDEPENDENCE REPORT ON 1% SALES TAX REPORTED FOR FEBRUARY 2023.

3% Sales Tax is collected in the City of Independence.
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Lacey Lies
Finance Director



Sales Tax Report for February 2023

Sales and Use taxes are Independence's largest funding source. The City receives a portion of the overall sales taxes you pay within city limits for use as indicated below. The projected revenue generated from all sales and use taxes for 2023 is \$6,750,000, which is 57% higher than all ad valorem taxes generated for the City.

Sales Tax Breakdown	Percent
City of Independence General Fund Sales Tax	1.00%
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City of Independence Special Use Sales Tax	1.00%
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Streets	0.27%
CITY TOTAL	3.00%
State of Kansas	6.50%
TOTAL SALES TAX	9.50%

The amounts listed in this report represent 1% Sales Tax Collections. 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 February receipts shown in this report were from sales in December 2022.

- **February** receipts totaled **\$240,332**, which is an **INCREASE of \$13,061** from February 2022, or **up 5.7%** (see Graph 2, “February 1% Sales Tax 10 Year History”).
- February 2023 receipts are the **HIGHEST February** receipts in the 10-year history, (see Graph 2, “February 1% Sales Tax 10 Year History”).
- Annualized FY 2023 1% sales tax collected is **\$2,598,889, or \$348,889 over** our **budgeted** amount of \$2,250,000, or **15.5% higher than the budget**, and **3.7% projected over 2022 actual** collections.
- With two months reported, we have **collected 19.3%** of the FY 2023 budgeted amount of \$2,250,000.
- The **Compensating Use** sales tax portion made up **16.1%** of the \$240,332 total (\$38,659) (see Graph 5 “2022 1% Sales Tax – Monthly/Compensating Use Sales Tax and Sales Tax.”).

THANK YOU
For Supporting Local!



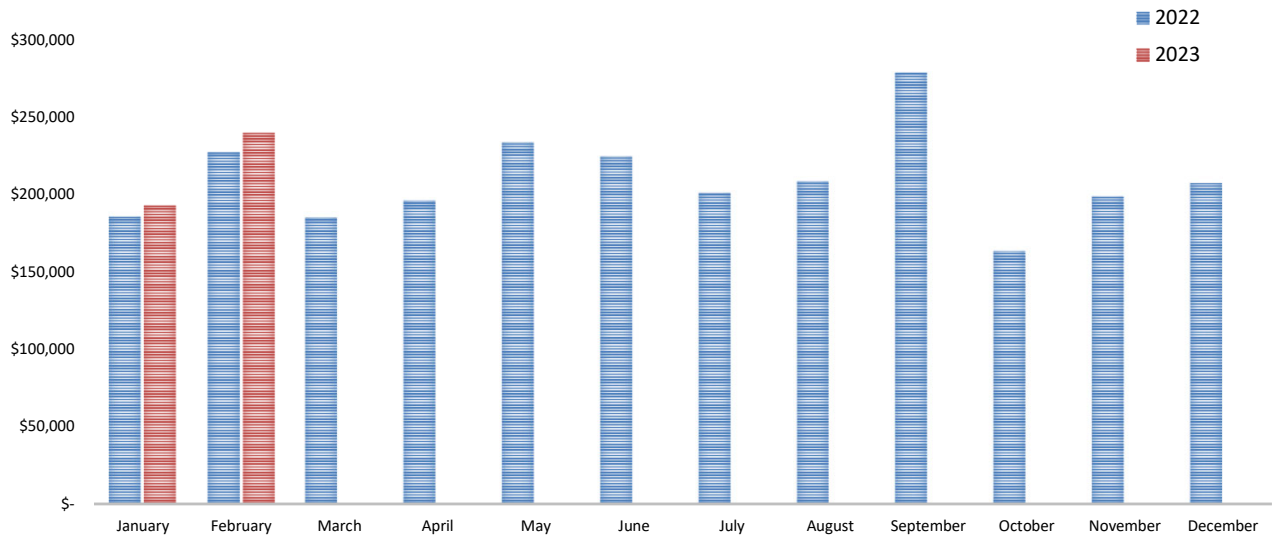


City of Independence Sales Tax - 1%

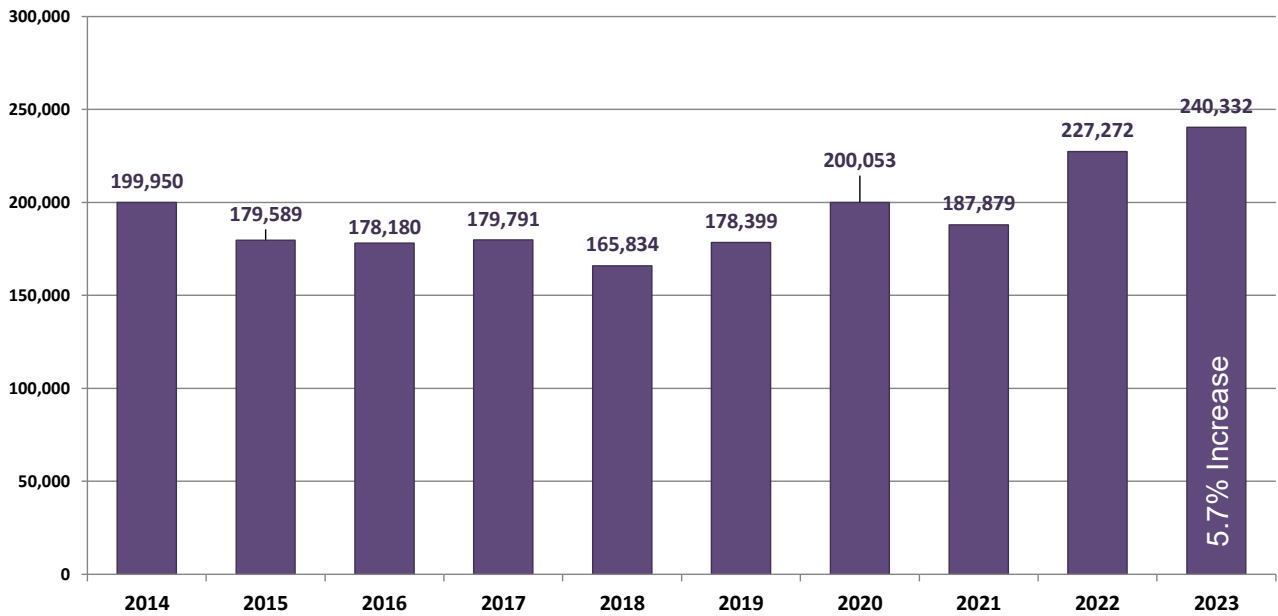
Comparison and History January - February 2023

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Total:	\$ 1,955,089	\$ 2,023,851	\$ 2,135,922	\$ 2,243,303	\$ 2,507,226	\$ 433,148		
% change	3%	4%	6%	10.8%	17.4%	-80.7%		
		Annual Budget	\$ 2,135,922	\$ 2,243,303	\$ 2,507,226	\$ 2,598,889	\$ 91,663	
			\$ 1,931,101	\$ 1,935,000	\$ 2,050,000	\$ 2,250,000	\$ 200,000	
Collections Over (under) Budget			\$ 204,821	\$ 308,303	\$ 457,226	\$ 348,889		
			Projected % Over PY Actual		11.8%	3.7%		
			YTD % of Budget Collected		122.3%	19.3%		
			Projected % Over Budget		22.3%	15.5%		

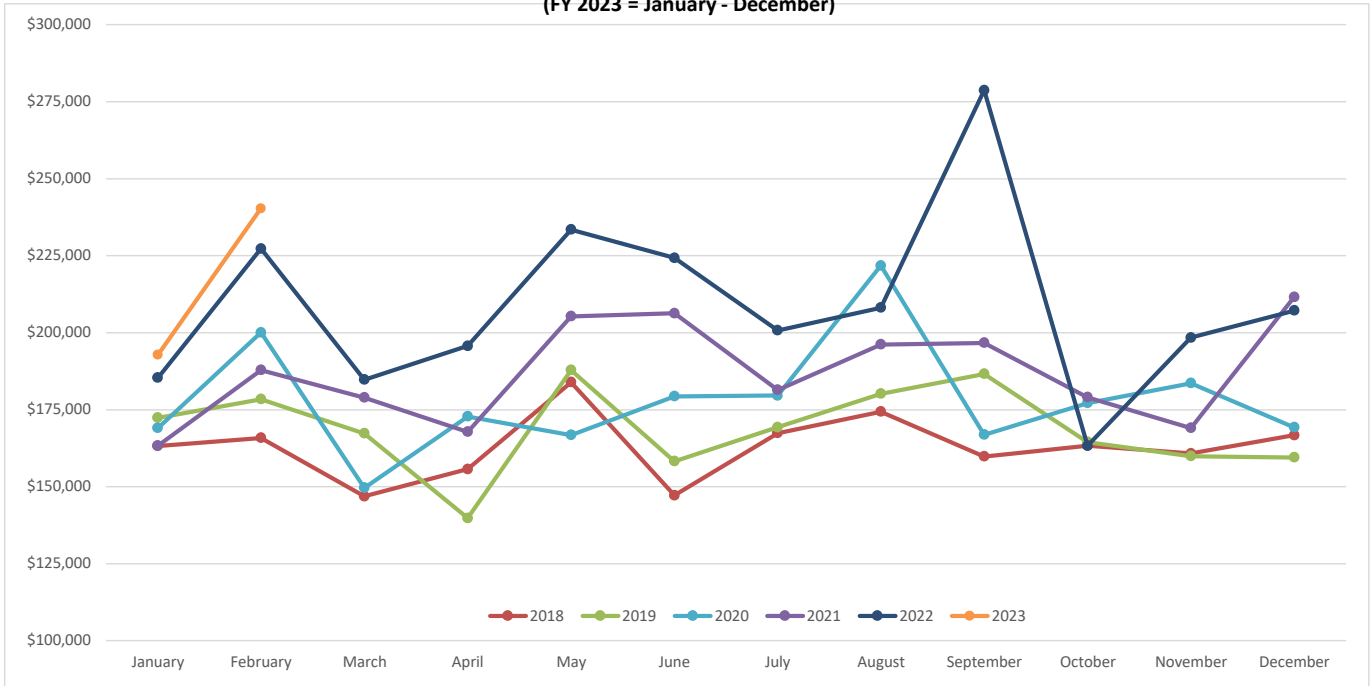
Sales Tax FY 2022 - FY 2023 Comparison



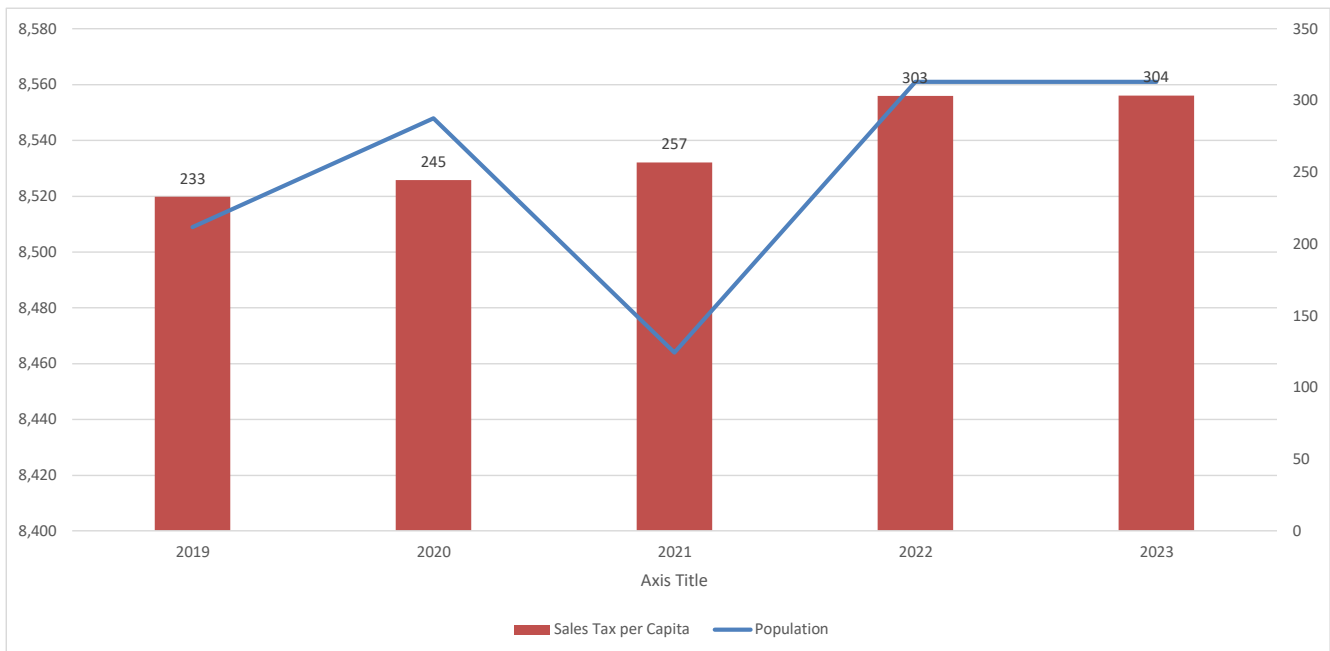
February 1% Sales Tax 10 Year History FY 2014 - FY 2023



Sales Tax History Comparison - FY 2018 - FY 2023
(FY 2023 = January - December)



Sales Tax per Capita and Population Trend



2023 Sales Tax - One Percent General Fund

Compensating Use Sales Tax and Sales Tax

