

Minutes of the City Commission's March 28, 2024 Meeting

I. REGULAR SESSION

Commissioners Present: Mayor Tim Emert, Vice-Mayor Scott Smith and Commissioner Dean Hayse

City Staff Present: Kelly Passauer, City Manager; David Cowan, Assistant City Manager; Jeff Chubb, City Attorney; David Schwenker, City Clerk/City Treasurer; Shawn Wallis, Fire/EMS Chief; David Hutchings, Interim Chief of Police; Jerry Harrison, Chief of Police; Lacey Lies, Finance Director and John Garris, City Engineer/Director of Public Works and Utilities

Visitors Present: Larry McHugh, Brea Sanford, Cassidy Sanford, Charlet Pemberton, Lisa Wilson, Mike Passauer, Tabatha Snodgrass and Ned Stichman.

A. Call to Order

Mayor Emert called the meeting to order.

B. Pledge of Allegiance to the United States of America

C. Adoption of Agenda

Motion:

On the motion of Dean Hayse, seconded by Scott Smith, the Commission adopted the agenda.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

II. CONSENT AGENDA

Motion:

On the motion of Scott Smith, seconded by Dean Hayse, the Commission adopted the consent agenda.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

A. Consider authorizing the purchase of roller shades for City Hall.

The City of Independence issued an RFP for roller shade purchase and installation in City Hall. Three responses were received, and the City selected Schammerhorn's low bid of \$25,505.12. The roller shades have a lifetime limited warranty and

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Schammerhorn provides a 1-year parts and labor warranty from the date of substantial completion.

Suggested Motion:

I move to approve the purchase and installation of Roller Shades for \$25,505.12 from Schammerhorn.

- B. Consider authorizing an agreement with the Sports Car Club of America, Inc. (SCCA) to hold an event at Independence Municipal Airport on May 3-5 and July 5-7, 2024.

SCCA had an error in their previous contract. The dates of the second event have been changed in the contract to reflect the actual requested days: July 5-7, 2024. There are no other changes.

Suggested Motion:

I move to allow signature of the revised agreement with the Sports Car Club of America, Inc. to hold the events as described, pending FAA approval.

- C. Consider approving street closures for Jefferson and Eisenhower School.

The Eisenhower and Jefferson School administration contacted the City regarding a drill on April 10th and an upcoming carnival event and closing streets.

On March 27th, Eisenhower School will be conducting a crisis drill at 12:30 PM - 12:45 PM and returning at 2:00 PM. The streets they need to be closed are:

- 10th and Mulberry to Jefferson School will be one lane. The school will have cones and personnel set up on Mulberry Street directing parents.
- 13th and Mulberry - Southbound blocked
- 13th and Spruce, both directions are blocked to allow kids to walk between schools.

On April 10th, Jefferson School will be conducting a crisis drill and is asking for the following intersections to be blocked at 12:45 PM. The roads will remain blocked until the drill is completed and the kids return to school at 2:00 PM.

- 13th and Mulberry
- 13th and Spruce
- 10th and Spruce

Jefferson and Eisenhower School will have a Carnival on May 10, 2024, from 5:00 PM to 7:30 PM. They will ask families to park at Jefferson and walk down to Eisenhower School. To allow the kids and parents to walk between schools, they

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are requesting 13th Street should be blocked at 13th and Mulberry, 13th and Spruce, and 13th and Landon.

Suggested Motion:

I move to allow the street closures requested by USD 446 for the crisis drills and carnival.

- D. Consider approving Change Order No. 1 on the contract for renovation of the parking lot north of City Hall to Heck & Wicker, Inc.**

The City has awarded the contract for the new parking lot due north of City Hall. As presented to the Commission, there were several changes in the drawings – changing width of the stalls and addition of two ADA stalls. This changes the quantities of various unit price items, and the net change of pavement marking and other ancillary items is \$1,354.40 per the unit pricing.

Suggested Motion:

I move to authorize Change Order No. 1 for the renovation of the parking lot north of City Hall to Heck & Wicker, Inc. in the amount of \$1,354.40.

- E. Consider approving Change Order No. 1 on the contract for the Jefferson Subdivision infrastructure.**

The City of Independence and the Independence Housing Authority have partnered to construct infrastructure for the new Jefferson Subdivision, a new 20 single-family unit subdivision. When the contractor connected the new water line to the existing water line main, the existing line burst and heaved the roadway across 11th Street. The change order is for the purpose to cut and cap the existing 6" water line main at 11th and Catulpa Street.

Suggested Motion:

I move to authorize Change Order No. 1 for installation of infrastructure for the Jefferson Subdivision to J. Graham Construction, Inc. for the amount of \$5,960.00.

- F. Consider authorizing a Greenbush Energy Group Participation Agreement & Hedging Authorization.**

City Administrative staff has been working with Greenbush Energy Group for approximately seven years on 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 significantly impacting the budget. It is time to renew these agreements.

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As indicated in the attached letter, the Greenbush Advisory Committee has followed the three-year supply agreement with Woodriver Energy, with two hedging recommendations that place approximately 70% of the 2023-24 anticipated winter usage under contract. These hedges represent a more than 25% savings year over year on the price of natural gas. They recommend the City execute the participation agreement and hedging authorization to continue participation in the group.

Suggested Motion:

I move to authorize the City Manager to sign a Greenbush Energy Group Participation Agreement & Hedging Authorization and a Woodriver Energy Transaction Confirmation Agreement to acquire natural gas.

G. Consider approving change orders for Central Park Sports Complex.

Two PCO's (potential change orders) have been requested for the Central Park Sports Complex.

PCO-03 for \$8,265.95 will add a junction box near inlet 1-2 to intercept water and drop to flowline elevation before entering the arch brick pipe tie-in.

PCO-04 for \$1,812.58 will install risers and a new ring and lid to bring the existing sanitary sewer elevation per RFI-05 up to finish grade.

Suggested Motion:

I move to approve PCO-03 and PCO-04.

III. PUBLIC HEARINGS

A. Public Hearing to consider condemnation of 404 S. 8th Street as dangerous and unsafe.

The building department initiated the condemnation process for 404 S. 8th Street on July 13, 2023. Since then, our staff has been collaborating with Skylier Desmarais regarding timelines and the repair of the structure. Skylier managed to remove the porch and perform repairs on the roof. However, he faced challenges due to a family health situation involving his daughter, which constrained both his time and financial resources for further repairs on the structure. Consequently, Skylier has sold the property to Chris Wright, who has provided the attached timeline for the rehabilitation of the structure. City Staff recommends postponing the hearing until June 27, 2024, to allow for the completion of the rehabilitation process.

Motion:

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On the motion of Scott Smith, seconded by Dean Hayse, the Commission adjourned the public hearing to consider the condemnation of 404 S. 8th Street until June 27, 2024, at 5:30 PM.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

- B. Public Hearing to consider the condemnation of 512 N. 16th Street as dangerous and unsafe.

The City of Independence initiated condemnation proceedings for 512 N. 16th on May 11, 2023, following a structure fire at the residence, deeming it dangerous and unsafe. The previous owner, David Goforth, requested an adjournment of the hearing and submitted a timeline for repairs. Subsequently, David sold the property to Madisyn Fienen, who has since been actively working on the structure and provided her own timeline for repairs, with a focus on the interior. City Staff met with Madisyn on March 19, 2024, and conducted a thorough tour of the structure. Based on their assessment, we recommend adjourning the hearing until June 27, 2024, to allow Madisyn additional time to complete the rehabilitation of the structure.

Motion:

On the motion of Dean Hayse, seconded by Scott Smith, the Commission adjourned the public hearing to consider the condemnation of 512 N. 16th Street until June 27, 2024, at 5:30 PM.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

IV. PROCLAMATIONS

- A. Consider Proclaiming April 26, 2024 as Arbor Day.

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 26th,

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2024. This is the first step in renewing our recertification for Tree City USA.

Motion:

On the motion of Scott Smith, seconded by Tim Emert, the Commission proclaimed April 26, 2024, as Arbor Day.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

B. Consider proclaiming April 2024 as Child Abuse Prevention Month.

We received a request from Jordan Lemos representing the Kansas Children's Service League requesting to adopt the attached proclamation declaring April 2024 as Child Abuse Prevention Month.

Motion:

On the motion of Dean Hayse, seconded by Tim Emert, the Commission proclaimed April 2024 as Child Abuse Prevention Month.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

C. Consider proclaiming April 2024 as Fair Housing Month.

During April 2024, the Independence Housing Authority joins in the national celebration in recognizing April 2024 as Fair Housing Month. During this month of celebration, the City of Independence, Kansas along with the Independence Housing Authority reaffirms its commitment to ending housing discrimination within the City limits of Independence, Kansas.

Motion:

On the motion of Tim Emert, seconded by Dean Hayse, the Commission proclaimed April 2024 as Fair Housing Month.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

V. ITEMS FOR COMMISSION ACTION

A. Consider the appeal of a sign request denied by the Independence Historic Preservation and Resource Commission.

The owner of Indy Vapes has submitted an appeal of the IHPRC denial of their sign permit at 223 N. Pennsylvania Ave. The background on the sign request is as follows:

The City of Independence Building Department received a complaint regarding a sign installation at Indy Vapes. Upon receiving the complaint, the City contacted Indy Vapes, who subsequently submitted the attached sign permit application and certificate of appropriateness for review by the IHPRC committee. The IHPRC reviewed the application at their meeting on January 22, 2024, and decided to table a decision pending further review by staff and SHPO. Following this, a review by SHPO provided staff with the following information: Katrina Ringler responded, advising that the IHPRC should ensure the decision is based on the Secretary of the Interior's Standards for Rehabilitation. SHPO believes that standards 2, 5, 6, and 9 are applicable in this case.

Those standards are as follows:

(2) The historical character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces and spatial relationships that characterize a property will be avoided.

(5) Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.

(6) Deteriorated historical features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.

(9) New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.

SHPO review of photos from 1987 shows a storefront's transom was covered with some solid/opaque material. That same material appears to be in place up to 2021, when there was a change to a new opaque material with vertical dark strips to suggest the look of a glass transom. Does this project "damage or destroy" the historic building? Likely not physically, since there does not appear to be any historic materials existing in that area. Does the sign "damage or destroy" the character of the building or district? Potentially. Please see Standard #9, exterior alterations should be compatible with the historic property. Please refer to the attached Signs and Awning pdf provided by SHPO. We (SHPO) see that it's not

uncommon for signage to be located in the transom area of a storefront when the transom glass is missing, but the signage should be compatible with the overall character of the building and the surrounding district. If the preservation commission does not think that this signage is compatible with the building/district, then they should issue a "damage or destroy" determination.

After reviewing the sign applications, city staff have determined that the proposed sign does not comply with the C-3 regulations. According to the code, signage is permitted up to either 50 square feet or 5% of the total area, whichever is smaller. The frontage of 223 N. Penn is approximately 978 square feet, thus allowing for a maximum sign size of 50 square feet. However, the requested sign exceeds this limit at 84.33 square feet. Additionally, staff believe that the proposed signage is not in harmony with the overall character of the building and the surrounding district. If the IHPRC denies the sign permit request, the owner shall be given 30 days to remove the sign or file an appeal to the City Commission for final determination of their request.

On February 26, 2024, the IHPRC met and held a meeting regarding the sign permit request. A motion was passed and approved to deny the sign application based on the determination that it damages or destroys the character of the building and district. The IHPRC noted four issues regarding their denial of the application.

1. The sign does not comply with the Historic District Sign regulations concerning size and square footage allowances.
2. The sign is incompatible with the historic building and district
3. The sign does not effectively advertise the business, with the actual business name appearing in small letters
4. Failure to obtain a sign permit and IHPRC approval before installing the sign in the Downtown Historic District. These concerns could have been addressed if the proper process had been followed prior to installation.

The owner was given until March 26, 2024 to remove the sign or file an appeal to the City Commission.

Motion:

On the motion of Tim Emert, seconded by Scott Smith, the Commission denied the sign application based on the IHPRC's determination that it damages or destroys the building's and district's character.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

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- B. Consider a recommendation from the Planning Commission to adopt an ordinance for a text amendment relating to "Restaurants, drive-through" in the C-3 Central Business District.

On March 5, 2024 the Planning Commission held a public hearing regarding this item and took the following action:

Based on the statements included in the staff recommendation, I move to recommend the City Commission modify the permitted and conditional use table to add "Restaurants, drive-through" as a conditional use in the C-3 district and a permitted use in the C-2 and C-4 districts, and to add a definition of "Restaurants, drive-through" as *"An establishment whose primary purpose is the sale, dispensing or serving of food, refreshments, ice, or beverages in automobiles, including those establishments where customers may serve themselves, except that this shall not include offering or selling food or beverages for consumption on the premises in parked motor vehicles."*

The additional background is included in the attached staff report that was provided to the Planning Commission.

Motion:

On the motion of Scott Smith, seconded by Dean Hayse, the Commission adopted an ordinance for a text amendment as recommended by the Planning Commission.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

- C. Consider a recommendation from the Planning Commission to adopt an ordinance rezoning 408 S. 8th from R-3 to R-5, and adopting a resolution for a conditional use permit for an "Accessory use not located on the same lot or contiguous lot as the principal building or principal use served per 607.1.d."

On March 5, 2024 the Planning Commission held public hearings to consider rezoning 408 S. 8th from R-3 to R-5, and a conditional use permit for an "Accessory use not located on the same lot or contiguous lot as the principal building or principal use served per 607.1.d." The Planning Commission recommended approval of the rezoning of 408 S. 8th Street from R-3 to R-5 with a conditional use permit for an "Accessory use not located on the same lot or contiguous lot as the principal building or principal use served per 607.1.d. with the following additional provisions:

- a. Must be located on an adjacent lot to the principal building or principal use served, excluding public rights- of-way.

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- b. Must be located in the same zone as required for the principal building or principal use it serves.
- c. Must be under the same ownership as the principal building or principal use served.
- d. Must be located at the rear of the adjacent lot if there is access thereto.

Motion:

On the motion of Dean Hayse, seconded by Scott Smith, the Commission adopted an ordinance rezoning 408 S. 8th from R-3 to R-5, and adopting a resolution for a conditional use permit for an "Accessory use not located on the same lot or contiguous lot as the principal building or principal use served per 607.1.d."

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

D. Consider adopting the preliminary and final plats for Jefferson Subdivision.

On March 5, 2024 the Planning Commission reviewed the preliminary and final plats for Jefferson Subdivision. The Planning Commission recommended approval of both the preliminary and final plat in separate motions. It was noted by two of the Planning Commissioners, one at the meeting and one after the meeting, that their vote was contingent on a sidewalk being provided from both the Pearl Avenue and Catalpa Street cul-de-sacs on 11th Street south to the walking path in the Eisenhower Subdivision which leads to Spruce Street. This is being provided and is shown on page 9 of the attachment "Jefferson Subdivision Plans." It should be noted a sidewalk is not included from the cul-de-sac on Pearl Avenue north to Mulberry Street.

Motion:

On the motion of Scott Smith, seconded by Dean Hayse, the Commission adopted the preliminary plat for Jefferson Subdivision.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

Motion:

On the motion of Scott Smith, seconded by Dean Hayse, the Commission adopted the final plat for Jefferson Subdivision.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

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E. Consider approval of demolition bids.

The City of Independence awarded demolition bids on March 14, 2024, to the lowest bid per property and tabled action on two others when they approved the following motions:

1. I move to award the following bids:
 - a. G & G Dozer for a total of \$33,000 for the structures located at 427 S. 15th, 201 S. 14th, 700 E. Edison, 408 S. 8th (House Only), 217 S. 2nd (House Only), and 1005 E. Birch; and
 - b. MEGA for a total of \$11,200 for the structures located at 919 E. Birch and 601 S. 15th.
2. I move to table action on the demolition of 501 S. 15th and 600 S. 15th until June 13, 2024.

The City notified the bidders on Friday, March 15, 2024, of the houses awarded to them with a notice to proceed on April 1, 2024. On Friday afternoon, Assistant City Manager David Cowan received a call from G&G Dozer, Gary Gorby, and he indicated he submitted a combined bid of \$60,000.00 and would either do all of them or none. David informed Gary that he had submitted his bid in the "Individual Column" and that the bids had been given to the lowest bidder per property. He indicated that was not his intention and that he either received them all or would withdraw his bid, stating; "I gave you the cost, so you could bill the houses". City Staff reviewed the bid sheet again and confirmed G & G's bids were submitted in the individual column, and were properly awarded to the low bidder. It should be noted that the bid sheet also indicates; "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."

Staff recommends awarding the bids to the next lowest bidder.

- MEGA with 427 S. 15th, 700 E. Edison, 408 S. 8th, 217 S. 2nd & 1005 E. Birch
- JRB with 201 S. 14th

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Demo Bids

MEGA			G&G			JRB			Fast Track Services		Sound Ground
	Individual	Combined		Individual	Combined		Individual	Combined			
427 S. 15th	\$6,600.00		427 S. 15th	\$6,600.00		427 S. 15th	\$8,500.00	\$8,000.00	\$15,950.00		\$23,000.00
501 S. 15th	\$6,600.00		501 S. 15th	\$6,600.00		501 S. 15th	\$6,500.00	\$6,000.00	\$15,550.00		\$23,000.00
600 S. 15th	\$7,200.00		600 S. 15th	\$7,200.00		600 S. 15th	\$6,000.00	\$6,000.00	\$14,050.00		\$23,000.00
601 S. 15th	\$6,600.00		601 S. 15th	\$6,600.00		601 S. 15th	\$7,000.00	\$7,000.00	\$18,750.00		\$23,000.00
201 S. 14th	\$6,900.00		201 S. 14th	\$6,900.00		201 S. 14th	\$6,500.00	\$6,000.00	\$16,250.00		\$23,000.00
700 E. Edison	\$5,900.00		700 E. Edison	\$5,900.00		700 E. Edison	\$8,500.00	\$8,000.00	\$16,650.00		\$23,000.00
408 S. 8th	\$7,800.00		408 S. 8th	\$7,800.00		408 S. 8th	\$9,500.00	\$9,000.00	\$15,470.00		\$23,000.00
217 S. 2nd	\$7,700.00		217 S. 2nd	\$7,700.00		217 S. 2nd	\$8,000.00	\$8,000.00	\$11,550.00		\$23,000.00
919 E. Birch	\$4,600.00		919 E. Birch	\$4,600.00		919 E. Birch	\$7,000.00	\$7,000.00	No Bid		\$23,000.00
1005 E. Birch	\$8,100.00		1005 E. Birch	\$8,100.00		1005 E. Birch	\$8,500.00	\$8,000.00	No Bid		\$23,000.00
Total Low Bid	\$47,300.00	\$66,600.00	Total	\$50,400.00		Total Low Bid	\$0.00	\$73,000.00	\$124,220.00		\$230,000.00
Previous Comm Action	\$11,200.00		Award	\$0.00		Previous Comm Action	\$0.00				
Additional Comm Action	\$36,100.00					Additional Comm Action	\$6,500.00				

Green = Totals	
Blue = Current Low Bid	
Orange = Request to Hold Demo 90 days	
Yellow = Previous Commission Action	

City Cost	\$46,000
Housing	\$7,800.00

Motion:

On the motion of Dean Hayse, seconded by Scott Smith, the Commission awarded MEGA the demolition bid for 427 S. 15th, 700 E. Edison, 408 S. 8th, 217 S. 2nd, & 1005 E. Birch in the amount of \$36,100.00, and to award JRB the demolition bid for 201 S. 14th in the amount of \$6,500.00.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

- F. Request to amend City Code Section 102-7 (Ordinance No. 4024) an ordinance authorizing operation of golf carts, micro-utility trucks, and work-site utility vehicles.

On 12-11-2008, the City Commission approved Ordinance No. 4024, permitting operation of micro-utility trucks on city streets. Due to citizen requests police department staff are requesting the City Commission repeal 102-7 (Ord. No. 4024) and replace it with an ordinance allowing the operation of golf carts, micro-utility trucks, and work-site utility vehicles on city streets. This ordinance follows state statutes KSA 8-15,106 (Micro Utility trucks); 8-15,108 (golf carts); and 8-15,109 (work-site utility vehicle) by restricting these vehicles from being operated on state and federal highways within the city except to cross state and federal highways.

Motion:

On the motion of Scott Smith, seconded by Dean Hayse, the Commission amended City Code Section 102-7 (Ordinance 4024) as written to allow operation of golf carts, micro-utility trucks, and work-site utility vehicles on city streets.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

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VI. REPORTS

A. State of Independence Housing

This item was tabled until April 11, 2024.

B. Projects and Public Works Report

Engineer Garris reviewed the report.

C. Benchmarking the Lexipol Risk and Operational Effectiveness Audit

Chief Harrison reviewed the report.

D. City Board Minutes

1. January 11, 2024 Land Bank Minutes

2. March 20, 2024 Recreation Commission Minutes

3. January 16, 2024 Housing Authority Minutes

VII. CITY MANAGER'S COMMENTS

City Manager Passauer thanked Chief of Police Harrison for his service and noted that a public forum on the City's new comprehensive plan will be on April 9th.

VIII. COMMISSIONERS' COMMENTS

None.

IX. PUBLIC CONCERNS

None.

X. EXECUTIVE SESSION

A. Discussions prior to acquisition of real estate.

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Motion:

On the motion of Tim Emert, seconded by Dean Hayse the Commission recessed for an executive session to discuss the possible acquisition of real estate pursuant to the preliminary discussion on the acquisition of real estate exception, KSA 75-4319(b)(6). The open meeting will resume at 6:40 p.m.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

The open meeting resumed at 6:40 p.m.

XI. POSSIBLE ACTION AFTER EXECUTIVE SESSION

A. Consider authorizing the acquisition of property pending City Attorney approval.

City staff has been working on a potential project for the purpose of economic development including but not limited to improving infrastructure around certain schools relating to stormwater runoff and the improvement and/or extension of streets; flash flood control to protect downstream residences and businesses; and future housing development. With the assistance of citizens involved with economic development, the purchase of property for this project has been negotiated. If, after an executive session, the Commission wishes to authorize the purchase, additional details will be provided.

authorized the acquisition of the following properties utilizing Economic Development Funds pending City Attorney approval for the purpose of future economic development including improving infrastructure around certain schools, flash flood control, and/or housing development:

1. One parcel totaling approximately 64 acres from Janie L. Hunt in the amount of \$300,000. This property is generally located west of Jefferson School and east of 21st Street.
2. Three parcels totaling approximately 62 acres from William Jack and Lori A. Martin, including two houses and outbuildings in the amount of \$754,000. This property is located generally east of Standard Motor Products and north of West Oak Street.

Motion:

On the motion of Tim Emert, seconded by Scott Smith, the Commission authorized the acquisition of the following properties utilizing Economic Development Funds pending City Attorney approval for the purpose of future economic development

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including improving infrastructure around certain schools, flash flood control, and/or housing development:

One parcel totaling approximately 64 acres from Janie L. Hunt in the amount of \$300,000. This property is generally located west of Jefferson School and east of 21st Street.

Three parcels totaling approximately 62 acres from William Jack and Lori A. Martin, including two houses and outbuildings in the amount of \$754,000. This property is located generally east of Standard Motor Products and north of West Oak Street.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

XII. ADJOURNMENT

Motion:

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

Aye: Tim Emert, Dean Hayse, Scott Smith

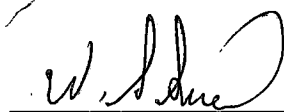
Nay: None



Tim Emert, Mayor

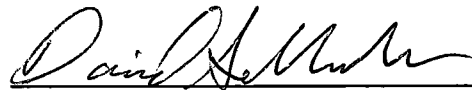


Dean A. Hayse, Commissioner



Scott Smith, Commissioner

Attest:



City Clerk/Treasurer