

Minutes of the City Commission's May 9, 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; Dustin Stafford, Police Officer, April Nutt, Director of Housing Authority and Lacey Lies, Finance Director.

Visitors Present: Larry McHugh, Brea Sanford, Chris Mitchell and Linda Follett.

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 Scott Smith, seconded by Tim Emert, the Commission approved the agenda.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

II. CONSENT AGENDA

Motion:

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

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

A. Consider approving City Commission minutes from April 11th, 16th and 25th, 2024

Suggested Motion:

I move to approve the minutes from April 11th, 16th and 25th, 2024.

Minutes of the City Commission's May 9, 2024 Meeting

- B. Consider approval of railroad crossing grant.

The City was approached by the South Kansas and Oklahoma Railroad Company (SKOL) to execute a contract with them and KDOT. This contract requires the City to install and maintain two new railroad crossing signs, but fully pays for new railway-highway crossing signals and gates at the intersection of the SKOL railroad and 21st Street.

Suggested Motion:

I move to authorize execution of the contract between SKOL, KDOT, and the City.

- C. Consider adopting an ordinance to modify water rates by adding a new tier based on consumption for outside City customers.

The City has nearly completed the new pipeline to serve Bartlett via Rural Water District #6. Per our contract, we have a new tier for water consumers outside the city limits that consume more than 6,300,000 gallons per month. Per our contract, the initial rate for this water consumption tier is \$5.00 per thousand gallons. The new outside rate structure would become:

Proposed Outside Rates:

First 1,000	\$ 24.95
Next 9,000	\$ 11.57
Next 50,000	\$ 9.66
Next 500,000	\$ 8.90
Next 750,000	\$ 7.02
Next 4,990,000	\$ 6.36
Over 6,300,000	\$ 5.00

Suggested Motion:

I move to adopt an ordinance prepared by the City Attorney modifying water rates as proposed.

- D. Consider issuing bid documents for the 2024 Mill and Overlay Project.

Annually, the City plans to mill and overlay a portion of the streets to maintain adequate driving surfaces. The primary focus is on major streets that receive significant amounts of traffic, and Oak Street from N. Penn to 13th is an area that receives significant traffic but has pavement failure evident in multiple locations. Also included in the bid quantities are

Minutes of the City Commission's May 9, 2024 Meeting

approximately 250 tons of pavement for application in lower traffic, local streets in up to five locations where there has been significant pavement failure.

Bids will be opened on June 6, 2024 at 10 A.M.

Suggested Motion:

I move to approve issuance of bid documents for the 2024 Mill and Overlay Project.

III. APPOINTMENTS

A. Tree Board -- One Resignation

We have had one resignation from the Tree Board. 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 about this board, contact Scott Patton at ScottP@IndependenceKs.gov or 620-332-2512; or visit this link: [Tree Board Ordinance](#)

Applications to fill this vacancy are due by Noon on May 16, 2024, and you may apply at this link: [City Board Application](#)

If you have trouble with the online form, please contact KellyP@IndependenceKs.gov or 620-332-2506 for a paper version.

Minutes of the City Commission's May 9, 2024 Meeting

TREE BOARD (2 year terms for appointments before 2/8/2024 then 4 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 Resigned 04/25/2024
Michelle Avery	5th term	6/1/2025	6/8/2017
Amy Hilyard	1st term*	6/1/2025	Appointed 10/13/2022
Leslie Fox	5th term	6/1/2025	6/8/2017
England Porter	3rd term	1/1/2025	3/28/2019
Leslie Woods	1st term	1/1/2025	3/9/2023 Replaced William MacRae
Meeting Place: Veterans Room, Memorial Hall Meeting Date: By appointment Meeting Time: By appointment			

IV. PRESENTATIONS

- A. Presentation from Southeast Kansas Community Action Program (SEK-CAP) to consider including in the 2025 budget funds for General Public Transportation.

SEK-CAP would like to address the Commission concerning requesting the 2025 budget include \$3,000 in funds for General Public Transportation. They understand that the City's budget does not start until January 1, 2025, so any approved funds would not be available until after that date.

V. PROCLAMATIONS

- A. Consider proclaiming May 12th - 18th as Police Week.

In 1962, President John F. Kennedy signed a proclamation designating May 15th as Peace Officers Memorial Day and that week Police Week.

Motion:

On the motion of Scott Smith, seconded by Dean Hayse, the Commission proclaimed May 12th through May 18th as Police Week in Independence in recognition of the commitment to excellence the members of the Independence Police Department demonstrate every day.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

Minutes of the City Commission's May 9, 2024 Meeting

- B. Consider proclaiming May 19th - 25th as EMS Week.

Since its inception in 1974, EMS Week has stood as an annual tribute to the tireless efforts and unwavering dedication of Emergency Medical Services practitioners. Celebrated during the third week of May, this week underlines the pivotal role these professionals play in saving lives, preserving public health and safety, and supporting their communities.

The origins of EMS Week date back to 1974 when President Gerald Ford established the first "National Emergency Medical Services Week". The goal was to recognize the vital work of EMS practitioners and raise public awareness about EMS. Today, EMS Week is celebrated annually with various events and activities that honor the achievements of EMS practitioners, highlight the importance of EMS in healthcare, and increase awareness of the challenges and issues faced by the EMS community. This is the 50th anniversary of EMS Week.

Motion:

On the motion of Tim Emert, seconded by Dean Hayse, the Commission proclaimed May 19th - 25th, 2024 as EMS Week.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

VI. ITEMS FOR COMMISSION ACTION

- A. Consider setting the date of July 11, 2024, for a Public Hearing to consider the condemnation of 1041 N. 11th as dangerous and unsafe.

On February 20, 2024, a structure fire at 1041 N. 11th caused extensive damage to the residence. City staff recommends setting July 11, 2024, at 5:30 PM for a Public Hearing to consider condemning the structure as dangerous and unsafe.

Motion:

On the motion of Scott Smith, seconded by Dean Hayse, the Commission adopted a resolution setting July 11, 2024 at 5:30 PM for a public hearing to consider the condemnation of 1041 North 11th Street as dangerous and unsafe.

Aye: Tim Emert, Dean Hayse, Scott Smith

Minutes of the City Commission's May 9, 2024 Meeting

Nay: None

VII. REPORTS

A. City Board Minutes

1. April 17, 2024 Recreation Commission Minutes

B. Appropriations December 2023 - March 2024

C. Sales Tax Reports, January - April 2024

D. 1st Quarter 2024 Treasurer's Report

VIII. CITY MANAGER'S COMMENTS

City Manager Passauer reviewed the Planning Commission meeting that happened earlier in the week, and recognized City employees for public service week.

IX. COMMISSIONERS' COMMENTS

Commissioner Hayse thanked the employees for the invite to the picnic and also thanked them for their service.

Commissioner Smith also attended the picnic and thanked the employees as well.

Mayor Emert expressed interest in the recent flooding issues or lack thereof at the Central Park Sports Complex.

X. PUBLIC CONCERNS

None.

XI. ADJOURNMENT

Motion:

On the motion of Scott Smith, seconded by Dean Hayse, the Commission adjourned the meeting.

Minutes of the City Commission's May 9, 2024 Meeting

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None



Tim Emert, Mayor



Dean A. Hayse, Commissioner



Scott Smith, Commissioner

Attest:



City Clerk/Treasurer