

INDEPENDENCE CITY COMMISSION

REGULAR SESSION AGENDA

July 11, 2024

5:30 PM

Commission Room, City Hall

To participate by conference call:
1 785-289-4727 Conference ID: 847 753 695#

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 Opening - Applications extended to July 19, 2024
- B. Park Board Openings - Applications extended to July 19, 2024

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 approving City Commission minutes from June 27, 2024.
- B. Consider approving an emergency KDOT KAIP grant request to replace the AWOS Present Weather sensor.
- C. Consider waiving the ordinance prohibiting food trucks on July 26, 2024 at Riverside Park during the Montgomery County 4-H Fair.

IV. PUBLIC HEARINGS

- A. Public Hearing to consider condemnation of 1041 N. 11th Street as dangerous and unsafe.
- B. Public hearing to consider approving an ordinance vacating an alley in Block One, Chamberlin's Addition connecting Coffeyville Avenue to Cherry Street east of 1st Street.

V. ITEMS FOR COMMISSION ACTION

- A. Consider setting the date of September 26, 2024 for a Public Hearing to consider the condemnation of 909 W. Cottonwood Street as dangerous and unsafe.
- B. Consider authorizing the purchase of Lots 21 through 29, Block D, Horizon Estates.
- C. Consider awarding the bid for the KDOT City Connecting Link Improvement Program (CCLIP) project U-2473-01, Surface Preservation on US-160 from 8th Street to 2nd Street to Bettis Asphalt & Construction, Inc.

VI. REPORTS

- A. City Board Minutes

VII. CITY MANAGER'S COMMENTS

VIII. COMMISSIONERS' COMMENTS

IX. PUBLIC CONCERNS

X. ADJOURNMENT



Report
CITY OF INDEPENDENCE
July 11, 2024

Department Admin

Director Approval Kelly Passauer

AGENDA ITEM Tree Board Opening - Applications extended to July 19, 2024

BACKGROUND 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.

We have one opening on the Tree Board due to a resignation. Citizens may apply for this opening by July 19, 2024 using this link: [City Board Application](#)

For more information about the Tree Board visit this link: [Tree Board City Code](#)

TREE BOARD (2 year terms for appointments before 2/8/2024 then 4 year terms -- 7 members)			
Members	Term	Expires	Appointed/Eligible
Twila Hawthorne	4th term	6/1/2028	1/24/2019
			Reappointed 05/23/2024
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			

SUPPORTING DOCUMENTS



REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
July 11, 2024

Department Admin

Director Approval Kelly Passauer

AGENDA ITEM Park Board Openings - Applications extended to July 19, 2024

SUMMARY RECOMMENDATION Option 1: Consider appointing some or all of the applicants to the Park Board, with a maximum of two appointments who reside outside the City limits, and encourage eligible individuals to apply for the remaining position(s) by July 19, 2024.

Option 2: Delay all appointments until more eligible applicants apply by the July 19, 2024 deadline. The three individuals with expired terms will continue to serve until they are replaced.

BACKGROUND We have three Park Board members whose terms expired on July 1, 2024; however, they continue to serve beyond that date until they are replaced. These members have all served the two consecutive term limitation imposed by Resolution 2011-57, which states; *"It is hereby adopted as the policy of the Governing Body of the City of Independence that members appointed to boards, agencies, commissions or committees shall, as a general rule, be limited to two consecutive terms subject to the discretion of the Governing Body to allow additional terms depending on the type of board, agency, commission or committee involved, any specialty or expertise required, the difficulty in obtaining a citizen to serve on the board, agency, commission or committee, and other relevant factors as determined in the discretion of the Governing Body."*

Since not enough eligible applicants applied by the deadline, the original application deadline of June 20, 2024, was extended to July 5, 2024. In addition, we have also had one resignation from the Park Board from a member who resided within the City limits.

Two of the four open positions do not have residency requirements, so a maximum of two applicants who live outside the City limits may be appointed. We have received two applications from individuals residing outside the City.

Two of the four open positions require residency within the City limits, so a minimum of two applicants who live inside the City limits must be appointed. However, we have only received one application from an individual who lives within the City limits. We have extended the application deadline a third time to July 19, 2024.

Citizens may apply for the Park Board by July 19, 2024 using this link: [City Board Application](#)

The Park Board meets on the first Monday of the month at 5:30 PM. To learn more about the role of the Park Board, visit this link: [Park Board](#)

PARK BOARD (3 year terms – 9 members)			
Members	Term	Expires	Appointed/Reappointed
Anita Chappuie	2nd term	July 1, 2024	7/26/2018 / 06/24/2021
Alex Moore (Outside City)	2nd term*	July 1, 2024	2/9/2017 / 06/24/2021
Mardie Long (Outside City)	2nd term*	July 1, 2024	2/22/2018 / 06/24/2021
Steve McBride	1st term*	July 1, 2025	12/9/2021
Edward Epp	1st term	July 1, 2025	6/23/2022
Jim Hogan (Outside City)	2nd term*	July 1, 2025	6/8/2017
Leslie Coder	1st term	July 1, 2026	8/10/2023
Breanne Sanford	1st term	July 1, 2026	8/10/2023
Jill Warford	1st term*	July 1, 2026	Resigned 06/27/2024
Cody Dixon	FORPAZ	Ex-officio	
	City Rec	Ex-officio	
* Previously served unexpired term			
Meeting Place: Garden Club House Meeting Date: First Monday Meeting Time: 5:30 p.m.			

FINANCIAL INFORMATION N/A

SUGGESTED MOTION Option 1: I move to appoint (Fill in up to three names) to a first term on the Park Board ending on July 1, 2027.
Option 2: No motion needed.

SUPPORTING DOCUMENTS

1. Received 06202024-Park Board Application-Matt Housel-Outside City
2. Received 06232024-Park Board Application-Barb Beurskens-Outside City
3. Received 06242024-Park Board Application-David Fritzmeier-Inside City
4. Received 06282024-Park Board Resignation-Jill Warford-Inside City

Online Form Submittal: Board Application

noreply@civicplus.com <noreply@civicplus.com>

Thu 6/20/2024 1:30 PM

To: Kelly Passauer <kellyp@independenceks.gov>

Board Application

Board Applying For:	Park board
Name	Matt Housel
Date	6/20/2024
Address	3724 cr 3875
Email Address	[REDACTED]
Phone Number	[REDACTED]
Educational Background:	
High School Name and Location	Independence High School
Graduated/Degree	USAF Tech School
College Name and Location	Field not completed.
Graduated/Degree	Field not completed.
Major	Electrician
Other Education Name and Location	Field not completed.
Graduated/Degree	Field not completed.
Emphasis	Electric

Do you reside inside the corporate limits of the City of Independence?	No
If no, do you reside within 3 miles of the corporate limits of the City of Independence?	Yes
What experiences have you had that you feel would assist you as a board member?	I have 11 years in the Air Force and have worked at Cessna Aircraft for 28 years in the Maintenance field.
Why do you want to become a member of the board?	I believe the park is a great place for our community and what to in shore it is here for the future of Independence and the future generations
Do you feel that there are any issues needing immediate attention by the board? If so, please explain.	Not at this time
Other comments:	I grew up in Independence and enjoyed the park while growing up

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

Online Form Submittal: Board Application

noreply@civicplus.com <noreply@civicplus.com>

Sun 6/23/2024 6:32 PM

To: Kelly Passauer <kellyp@independenceks.gov>

Board Application

Board Applying For:	Park Board
Name	Barbara
Date	6/23/2024
Address	4357 CR 5800
Email Address	
Phone Number	
Educational Background:	
High School Name and Location	Shawnee Mission Northwest
Graduated/Degree	1974
College Name and Location	Kansas State University
Graduated/Degree	1980
Major	Animal Science
Other Education Name and Location	Field not completed.
Graduated/Degree	Field not completed.
Emphasis	Field not completed.

Do you reside inside the corporate limits of the City of Independence?	No
If no, do you reside within 3 miles of the corporate limits of the City of Independence?	No
What experiences have you had that you feel would assist you as a board member?	I worked at Riverside Park & Ralph Mitchell Zoo for ten years and was the Park and Zoo Director over eight years. I believe that my experience during my ten years would benefit helping the park and zoo move forward to achieving their goals. Scott is working hard with making improvements and I would be happy to help in any way I can to help the park and zoo continue to make improvements.
Why do you want to become a member of the board?	When I was the Park & Zoo Director I was told that Riverside Park and Ralph Mitchell Zoo was the Jewel of Independence. I would like to continue helping with the goals in making it a better place for the residents of Independence and those that visit our beautiful city.
Do you feel that there are any issues needing immediate attention by the board? If so, please explain.	I think the staff is doing a great job. I would like to help with any issues and projects that need attention.
Other comments:	<i>Field not completed.</i>

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

Online Form Submittal: Board Application

noreply@civicplus.com <noreply@civicplus.com>

Mon 6/24/2024 10:14 AM

To: Kelly Passauer <kellyp@independenceks.gov>

Board Application

Board Applying For:	Park
Name	David Fritzemeier
Date	6/24/2024
Address	1038 N. 4th St. Independence, KS
Email Address	
Phone Number	
Educational Background:	
High School Name and Location	Sterling High School
Graduated/Degree	Graduated
College Name and Location	Field not completed.
Graduated/Degree	Field not completed.
Major	Field not completed.
Other Education Name and Location	EMT, EMICT, Part-Time Law Enforcement, Private Pilot
Graduated/Degree	Graduated
Emphasis	Field not completed.
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?	Field not completed.
What experiences have you had that you feel would assist you as a board member?	I have lived close to this park over 40 years, enjoyed raising my daughter with many wonderful memories in this park and zoo, walked many miles in this park and observed way too many opportunities for dangerous and destructive behavior inadequately addressed.

Why do you want to become a member of the board?	To try to influence improvements and safety issues that have too long been put aside or ignored.
Do you feel that there are any issues needing immediate attention by the board? If so, please explain.	Serious lack of adequate speed limit signage since the limit was reduced from 15 to 10MPH (and lack of enforcement). Failure to address repeat vandalism with means of monitoring to facilitate law enforcement measures that could recover costs and (hopefully) dissuade future vandals. I believe that these two areas could tremendously reduce the cost of operating this Park and Zoo and greatly improve the safety and enjoyment for everyone that comes here.
Other comments:	<i>Field not completed.</i>

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

Fw: Park Board

Scott Patton <ScottP@independenceks.gov>

Fri 6/28/2024 8:35 AM

To: Kelly Passauer <kellyp@independenceks.gov>

Kelly,

We have another vacancy on Park Board.

Thanks.

Scott Patton

Park/Zoo Director

City of Independence, KS

620-205-7527

From: Jill Warford [REDACTED]

Sent: Thursday, June 27, 2024 8:38 PM

To: Scott Patton <ScottP@independenceks.gov>

Subject: Park Board

Scott,

After much thought I have decided to resign my position on the Park Board. I just do not feel that I can give it the attention I need too.

Jill Warford

Sent from my iPhone



REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
July 11, 2024

Department City Clerk

Director Approval Kelly Passauer

AGENDA ITEM Consider approving City Commission minutes from June 27, 2024.

SUMMARY RECOMMENDATION Approve the minutes.

BACKGROUND

FINANCIAL INFORMATION

SUGGESTED MOTION I move to approve the minutes from June 27, 2024

SUPPORTING DOCUMENTS

1. June 27 2024 - Minutes

Minutes of the City Commission's June 27, 2024 Meeting

I. REGULAR SESSION

Commissioners Present: 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; Dustin Stafford, Chief of Police; John Garris, City Engineer/Director of Public Works and Utilities; Shawn Wallis, Fire Chief; April Nutt, Director of Housing Authority and Lacey Lies, Finance Director.

Visitors Present: Larry McHugh, Breanne Sanford and Lisa Wilson.

A. Call to Order

Vice-Mayor Smith 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: Dean Hayse, Scott Smith

Nay: None

II. APPOINTMENTS

A. Park Board Openings -- Applications are due by July 5, 2024.

We have three Park Board members whose terms expire on July 1, 2024. These members have all served two full terms and are not eligible for reappointment unless no other eligible applicants apply. The application deadline was June 20, 2024, which will be extended to July 5, 2024, since not enough eligible applicants applied by the deadline. The one application we did receive was from someone who lives outside the City limits. However, we can have up to three members on the Park Board who do not have a residency requirement.

The Park Board meets on the first Monday of the month at 5:30 PM. Two of the three open positions do not have residency requirements, so applicants may live outside the City limits and still apply. If the current outside City applicant is

Minutes of the City Commission's June 27, 2024 Meeting

appointed, we will still have one position that can be outside the City limits and another that must be inside the City limits. To learn more about the Park Board, visit this link: [Park Board](#)

PARK BOARD (3 year terms -- 9 members)			
Members	Term	Expires	Appointed/Reappt
Anita Chappuie	2nd term	July 1, 2024	7/26/2018 / 06/
Alex Moore (Outside City)	2nd term*	July 1, 2024	2/9/2017 / 06/
Mardie Long (Outside City)	2nd term*	July 1, 2024	2/22/2018 / 06/
Steve McBride	1st term*	July 1, 2025	1/
Edward Epp	1st term	July 1, 2025	6/
Jim Hogan (Outside City)	2nd term*	July 1, 2025	(
Leslie Coder	1st term	July 1, 2026	8/
Breanne Sanford	1st term	July 1, 2026	8/
Jill Warford	1st term*	July 1, 2026	8/
Cody Dixon	FORPAZ	Ex-officio	
	City Rec	Ex-officio	
* Previously served unexpired term			
Meeting Place: Garden Club House			
Meeting Date: First Monday			
Meeting Time: 5:30 p.m.			

B. Tree Board Opening -- Applications due by July 5, 2024.

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.

We currently have one opening on the Tree Board due to a resignation. Applications are due by July 5, 2024. You can apply on the City's website, or click this link to apply: [City Board Application](#)

TREE BOARD			
(2 year terms for appointments before 2/8/2024 then 4 year terms -- 7 memb			
Members	Term	Expires	Appointed/Eligib
Twila Hawthorne	4th term	6/1/2028	1/
			Reappointed 05/2
Krystal Sumner	1st term	6/1/2024	
			Resigned 04/
Michelle Avery	5th term	6/1/2025	
Amy Hilyard	1st term*	6/1/2025	Appointed 10/
Leslie Fox	5th term	6/1/2025	
England Porter	3rd term	1/1/2025	
			3/
Leslie Woods	1st term	1/1/2025	
			Replaced William
Meeting Place: Veterans Room, Memorial Hall			
Meeting Date: By appointment			
Meeting Time: By appointment			

For more information, contact Scott Patton at ScottS@IndependenceKs.gov or 620-332-2512; or visit this link: [Tree Board City Code](#)

III. CONSENT AGENDA

Motion:

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

Aye: Dean Hayse, Scott Smith

Nay: None

- A. Consider approving City Commission minutes from June 13, 2024.

Suggested Motion:

I move to approve the minutes from June 13th, 2024.

- B. Consider a request from the First Baptist Church to block the 100 block of East Magnolia on July 3, 2024 from 6 - 8 PM for a picnic and block party.

The Pastoral Assistant, Barby Brown, from the First Baptist Church has requested the closure of the 100 block of East Magnolia on July 3, 2024, from

Minutes of the City Commission's June 27, 2024 Meeting

6:00 PM to 8:00 PM for a block party. The church owns both sides of the street and will be hosting activities with people crossing the street during this time.

Suggested Motion:

I move to approve the closure of the 100 block of East Magnolia from 6:00 - 8:00 PM on July 3, 2024.

- C. Consider authorizing the financing of a new sanitation truck.

The City solicited bids for a front loading sanitation truck. This truck will be the primary truck for the residential routes. On December 8, 2022 the Commission approved to purchase the truck with a slightly different model that reduced the bid price to \$395,637.00.

Suggested Motion:

I move to authorize a 5-year lease purchase agreement with Commercial Bank.

- D. Consider a Video Services Agreement with CableOne, d/b/a Sparklight.

Sparklight, was granted authorization by the State of Kansas to provide Video Service in the City of Independence on May 14, 2010, in accordance with K.S.A. 12-2023(e). Sparklight has provided video services in the City since May of 2010 and the proposed Video Services Agreement would authorize them to continue to provide such video services within the City.

Following negotiations as to what Kansas law would allow, a Video Services Agreement has been executed by Sparklight, The new agreement provides for the following:

- The proposed agreement increases the fee paid by Sparklight to the City from 3% to 5% of Sparklight's gross receipts, which is the maximum permitted by state law;
- It is an evergreen agreement that automatically renews every year. However, it may be terminated by either party with one hundred eighty (180) days written notice to the other party;
- It has indemnification and insurance provisions, along with a performance bond requirement;
- In the event of any construction or work impacting the City Right of Way (ROW), including removal of any facilities, Sparklight is required to restore, at Sparklight's expense, the ROW to its previous condition;

Finally, this is not a franchise agreement, since pursuant to 12-2023(e) only the State of Kansas may authorize a franchise.

Minutes of the City Commission's June 27, 2024 Meeting

Suggested Motion:

I move to approve and execute the proposed Video Services Agreement with CableOne, d/b/a Sparklight.

- E. Consider a request from Montgomery Place to close 8th Street between Birch and Edison on July 2, 2024 from 5 PM to midnight.

Montgomery Place, located at 614 S. 8th Street, contacted City staff on June 27th to seek permission to close the street between 8th and Birch and 8th and Edison on July 2, 2024, from 5:00 p.m. to 12:00 a.m. This item was added to the agenda since the next Commission meeting will be after their planned event. The closure is for a 4th of July celebration for residents, staff, and families. In reviewing this area, there is a private driveway on South 8th near the intersection of 8th and Beech Street. The closure is recommended to start south of the private residence to ensure access is not blocked to the private residence.



Suggested Motion:

I move to approve the closing of South 8th Street starting south of the private residence at 601 S. 8th Street to Edison on July 2, 2024, from 5 PM to midnight, for a 4th of July Celebration hosted by Montgomery Place.

IV. ITEMS FOR COMMISSION ACTION

Minutes of the City Commission's June 27, 2024 Meeting

- A. Consider a request from Trevor and Miranda Bruening to annex their property located on CR 3775, previously known as the 3100 block of North 13th Street.

Trevor and Miranda Bruening have requested the City of Independence to annex a property located in the 3100 block of North 13th Street or 3775 CR 4840 area to build a private residence. The property is not adjacent to the City limits and currently lacks access to City utilities as well as water. The area is currently served by a 2" private water line that is at capacity, and neighbors have objected to further access to the line. Trevor and Miranda have obtained an easement and plan to install a private water line that reaches the current City limits by Birdie Drive. Additionally, a City water meter would be installed at that location to serve the residence. Trevor and Miranda would be responsible for any repairs to that private line, and the City does not assume any responsibility for the maintenance.

The City staff has consulted with County officials regarding this annexation, and it has been agreed that any septic system installed at this location would adhere to Montgomery County requirements for permitting and inspection. If the annexation is approved, other City services, including Police, Fire, and Sanitation, will be provided.

The approval of the Resolution to annex will allow the City to petition Montgomery County for their approval to allow the City of Independence to annex the property into the City limits.

Motion:

On the motion of Dean Hayse, seconded by Scott Smith, the Commission approved Resolution 2024-016 to petition Montgomery County to allow the annexation of this property into the City limits of Independence, Kansas as requested by the property owners.

Aye: Dean Hayse, Scott Smith

Nay: None

- B. Consider a resolution to rescind the condemnation action of 512 N. 16th Street.

On May 3, 2023, the property at 512 N. 16th Street suffered fire damage and was found to have environmental issues due to hoarding and excessive amounts of trash and rubble inside and outside the building. The condemnation process was started with David Goforth, who provided a timeline for repairing the property. David Goforth then sold the property to Madisyn Fienen. Madisyn worked with the building department to renovate

the property and has since moved in and is now occupying the property.

The building department has conducted an inspection and approved the property. We recommend that the Commission adopt a resolution to officially end the condemnation process for 512 N. 16th Street.

Motion:

On the motion of Scott Smith, seconded by Dean Hayse, the Commission adopted a resolution rescinding the previous resolutions, which set a hearing date to consider the condemnation of 512 N. 16th Street as dangerous and unsafe.

Aye: Dean Hayse, Scott Smith

Nay: None

- C. Consider a request from Trident Partnerships LLC for a Moderate Income Housing Grant disbursement of grant funds.

Trident Partnerships LLC requested the City of Independence submit a Moderate Income Housing Grant to Kansas Housing Resources Corporation to develop 19 upper-story apartment units that will be constructed in six downtown buildings owned by Trident Partnerships LLC. The grant was awarded, and Trident Partnerships LLC has provided all required documentation to move forward with the construction phase of the project. This request of \$27,898 is the first request for a disbursement of funds.

Motion:

On the motion of Dean Hayse, seconded by Scott Smith, the Commission authorized the Mayor or City Manager to sign the disbursement request of \$27,898 from Kansas Housing Resources Corporation on behalf of Trident Partnerships LLC.

Aye: Dean Hayse, Scott Smith

Nay: None

V. REPORTS

- A. Quarterly Admin and Housing Goals Update

City Manager Passauer and Director Nutt gave a report on these items.

Minutes of the City Commission's June 27, 2024 Meeting

B. Project Report

Engineer Garris reported on this item.

C. Appropriations April 2024 - May 2024

VI. CITY MANAGER'S COMMENTS

City Manager Passauer reported on the success of the Montgomery County Public Safety Kids Camp that was held on June 14, 2024 in Riverside Park. Building permits issued so far this year which totaled 8.9 million in value, and the completion of phase 1 of the Central Park Sports Complex. She also noted that this was the last week for Interim Police Chief David Hutchins as the newly appointed Police Chief Dustin Stafford would be taking over on July 1, 2024. She further noted that this was also the last day of work for Administrative Aide Lydia Collins who retired after thirty years of service. She expressed thanks for their service.

VII. COMMISSIONERS' COMMENTS

None

VIII. PUBLIC CONCERNS

None

IX. EXECUTIVE SESSION

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

Motion:

On the motion of Scott Smith, seconded by Dean Hayse, the Commission recessed 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 K.S.A. 75-4319(b)(2). The open meeting will resume at 6:31 p.m. in the Commission Room of City Hall.

Aye: Dean Hayse, Scott Smith

Nay: None

The open meeting resumed at 6:31 p.m. with no action taken.

Minutes of the City Commission's June 27, 2024 Meeting

B. Data relating to financial affairs or trade secrets of second parties.

Motion:

On the motion of Scott Smith, seconded by Dean Hayse, the Commission recessed for an executive session concerning confidential data relating to financial affairs and/or trade secrets of a company pursuant to the exception found at K.S.A. 75-4319(b)(4). The open meeting will resume at 6:47 p.m. in the Commission Room of City Hall.

Aye: Dean Hayse, Scott Smith

Nay: None

The open meeting resumed at 6:47 p.m. with no action taken.

X. **ADJOURNMENT**

Motion:

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

Aye: Dean Hayse, Scott Smith

Nay: None

Tim Emert, Mayor

Dean A. Hayse, Commissioner

Scott Smith, Commissioner

Minutes of the City Commission's June 27, 2024 Meeting

Attest:

City Clerk/Treasurer



REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
July 11, 2024

Department Public Works & Utilities

Director Approval John Garris

AGENDA ITEM Consider approving an emergency KDOT KAIP grant request to replace the AWOS Present Weather sensor.

SUMMARY RECOMMENDATION Approve application for grant.

BACKGROUND During the annual inspection of the Automated Weather Observation System (AWOS) system by the FAA it was determined that the Present Weather system was not functioning. The Present Weather sensor allows automated reporting of current precipitation amounts and types.

Upon finding that the sensor had failed, a quote to replace it was obtained. The pricing provided was \$17,601. Since quantification of the added value of this sensor to the airport is difficult, Lochner's (our airport consultant) assistance was requested. Their opinion was that it was certainly optional, as many airports do not have a Present Weather system.

We did explore with KDOT using additional funding from our current KAIP grant since this is a pilot information system, like the beacon, and there was additional funding related to the beacon that would not be used. Instead, KDOT indicated we should apply for an emergency KDOT KAIP grant request. This request would be for the new sensor, and would be a 90/10 split, with the KAIP grant funding 90% of the sensor, if approved.

FINANCIAL INFORMATION If approved, the cost to the City would be \$1,760.10.

SUGGESTED MOTION I move to allow for application for the KDOT KAIP grant.

SUPPORTING DOCUMENTS



**REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
July 11, 2024**

Department Park, Zoo & Cemetery

Director Approval Scott Patton

AGENDA ITEM Consider waiving the ordinance prohibiting food trucks on July 26, 2024 at Riverside Park during the Montgomery County 4-H Fair.

SUMMARY RECOMMENDATION I recommend waiving the ordinance prohibiting food trucks at Riverside Park on July 26th during the Montgomery County 4-H Fair livestock auction.

BACKGROUND Montgomery County 4-H holds their annual fair and livestock auction in Riverside Park during the last week of July. During the livestock auction, they bring in food trucks to serve attendees. The event is usually well attended. The livestock auction will take place July 26th from 5:00 PM - 9:00 PM.

FINANCIAL INFORMATION No financial impact

SUGGESTED MOTION I move to waive the ordinance prohibiting food trucks at Riverside Park on July 26, 2024 for the Montgomery County 4-H Fair

SUPPORTING DOCUMENTS



REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
July 11, 2024

Department Admin

Director Approval David Cowan

AGENDA ITEM Public Hearing to consider condemnation of 1041 N. 11th Street as dangerous and unsafe.

SUMMARY RECOMMENDATION City Staff recommends condemnation as dangerous and unsafe.

BACKGROUND On April 20, 2024, a structure fire at 1041 N. 11th caused extensive damage to the residence. The insurance company has determined that the structure is a total loss and has sent proceeds to the City of Independence for its removal. The City has obtained a release for demolition from the owner but was unable to secure a release from the mortgage holder and, therefore, is proceeding with condemnation as dangerous and unsafe. The City Staff recommendation is that the City Commission condemn the structure as dangerous and unsafe.

FINANCIAL INFORMATION The City of Independence has received insurance proceeds which we are currently retaining for removing all structures on the property.

SUGGESTED MOTION I move to adopt a resolution condemning 1041 N. 11th Street as dangerous and unsafe.

SUPPORTING DOCUMENTS

1. RESOLUTION 2024-017 - CONDEMNATION - DAYS - 1041 N 11th
2. 1041 N. 11th - Pictures
3. PARCEL - 1041 N. 11TH
4. 1041 N 11th Fire Insurance Letter
5. Authorization for Demolition - Paula Hayes 05282024
6. Notice of Public Hearing - 06242024

RESOLUTION NO. 2024-017

A RESOLUTION FINDING THAT THE STRUCTURE, OR STRUCTURES, LOCATED ON THE FOLLOWING TRACT/PARCEL IN THE CITY OF INDEPENDENCE, MONTGOMERY COUNTY, KANSAS, IS UNSAFE AND DANGEROUS AND ORDERED CONDEMNED AND DIRECTING SAID STRUCTURE, OR STRUCTURES, TO BE REPAIRED OR REMOVED AND THE PREMISES MADE SAFE AND SECURE. SAID REPAIR OR REMOVAL WILL COMMENCE WITHIN **30 DAYS** OF THE PUBLICATION OF THIS RESOLUTION.

Legal Description

Lots 1 and 2, Block 6 of the Matthews Addition to the City of Independence, Montgomery County, Kansas

Common Address

1041 N 11th Street

Mortgage

WHEREAS, the Building Inspector of the City of Independence, Kansas, did on the 9th day of May 2024, file with the Governing body of said City, a statement in writing that the structure, or structures, located on the above described tract/parcel is unsafe and/or dangerous; and

WHEREAS, the Governing body did by **Res. #2024—012**, dated **May 9, 2024**, fix a time and place of hearing at which time the owner, his or her agent, any lien holders of record and any occupant of such structure, or structures, could appear and show cause why such structure, or structures, should not be condemned and ordered repaired and/or demolished and further provided for the giving of notice thereof as provided by law; and

WHEREAS, such resolution was published in the official city newspaper on **May 15, 2024 and May 22, 2024**, a copy of such resolution and notice was mailed to the owner, his or her agent; any lien holders of record and any occupant of the structure, or structures, at his or her last known place of residence, at which hearing the governing body heard all persons and considered all evidence presented by interested parties, including the Building Inspector of the City of Independence, Kansas.

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

The said governing body hereby finds that the structure, or structures, located on the following described tract/parcel in the City of Independence, Montgomery County, Kansas:

Legal Description

Lots 1 and 2, Block 6 of the Matthews Addition to the City of Independence, Montgomery County, Kansas

Common Address

1041 N 11th Street

Mortgage

Is unsafe and dangerous and constitutes a blight and therefore should be and is hereby condemned and it is hereby directed that such structure, or structures, be repaired or removed and the premises made safe and secure. The owner of the structure, or structures, is hereby given **30 days** from the publication of this resolution within which to commence such repair or removal and the premises made safe and secure. If the owner of such structure, or structures fails to diligently prosecute the same until the work is completed, said governing body will cause the structure, or structures, to be razed and removed, in order to make the premises safe and secure.

BE IT FURTHER RESOLVED, that the City Clerk shall cause this resolution to be published once in the official city newspaper and a copy mailed to the owner, his or her agent, lien holders and occupants as provided by law and a copy of said resolution shall be filed with the Montgomery County Register of Deeds.

Adopted this 11th day of July, 2024.

(SEAL)

Mayor

City Clerk







Print Page

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The Parcel Number for this Property is 063-087-25-0-10-15-001.00-0
Quick Ref ID: 2746

Owner Information

Owner Name	CARLEY, PAULA M
Address	1041 N 11TH ST INDEPENDENCE, KS 67301

Property Situs Address

Address	1041 N 11TH 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	

2024 Appraised Value

Class	Land	Building	Total
Residential - R	13,200	34,990	48,190
Total	13,200	34,990	48,190

2023 Appraised Value

Class	Land	Building	Total
Residential - R	13,190	32,790	45,980
Total	13,190	32,790	45,980

Tract Description

MATTHEWS ADD, S25, T32, R15, BLOCK 6, Lot 1 & 2, 12500 SQUARE FEET, Lot Width: 090.0 Lot Depth: 140.0 Plat Book/Page B /54 Deed Book/Page 613 /438 613 /436 501 /564 401 /263 386 /541 381 /279 381 /278 323 /094

Deed Information

Book1	Page1	Book2	Page2	Book3	Page3	Book4	Page4
613	436/438						

Market Land Information

Method	Type	AC/SF	Eff FF	Depth	D-Fact	Inf1	Fact1	Inf2	Fact2	Ovrd	Class	Value Est
Sqft	Primary Site - 1	12500										13,200

Dwelling Information

Dwelling Information		Comp Sales Information	
Res Type	Single-family Residence	Arch Style	Bungalow
Quality	FR+	Bsmt Type	Partial - 3
Year Built	1925	Total Rooms	4
Eff Year		Bedrooms	2
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	1,065	Foundation	Brick - 5
Main Floor Living Area	1,065		
Upper Floor Living Area Pct.			
CDU	FR		
Phys/Func/Econ	AV- / /		
Ovr Pct Gd/RCN	/130,730		
Remodel	NEW SIDING, WINDOWS, ROOF		
Percent Complete			
Assessment Class			
MU Cls/Pct			

Dwelling Components				
Code	Units	Pct	Quality	Year
Wood Deck (SF) with Roof	63			
Frame, Siding, Vinyl		100		
Composition Shingle		100		
Total Basement Area (SF)	487			
Raised Subfloor (% or SF)		100		
Wall 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
46	Residential Garage - Detached	D	1.00	1	1960			378	78	8	21 X 18	1	2	2					12,500	8	1,000

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April 22, 2024

Breman Insurance
c/o Schencks Insurance
2801 W. Main
Independence, KS 67301

Re: Fire at 1041 N. 11th, Independence, KS 67301

To Whom It May Concern:

Ordinance No. 4265 require the insurance company to execute a draft payable to the City of Independence in an amount equal to the sum of 15% of the covered claim payment unless the chief building inspector of the City has issued a certificate to the insurance company or companies that the insured has removed the damaged building or other structure, as well as associated debris, or repaired, rebuilt, or otherwise made the premises safe and secure.

If you have any questions, please contact David Schwenker at 620-332-2500.

Sincerely,

THE CITY OF INDEPENDENCE, KANSAS



Lacey R. Lies
Director of Finance

Cc: Maura Samora, Newkirk Dennis & Buckles

AUTHORIZATION FOR DEMOLITION OF PROPERTY

I / We, the undersigned, owners of the property located at
1041 W. 11th St., Independence, Kansas, hereby consent and
authorize the City of Independence, Kansas to take the necessary steps for
demolition of the above referenced property without further delay, thereby
waiving all further procedural due process requirements to which we are entitled
by law. In granting this consent and authorization for demolition, the
undersigned understand that all costs of condemnation and demolition may be
billed to the undersigned and/or assessed against the property according to law.

5/28/2024

Date

[Signature]

Date

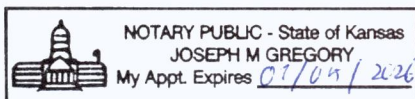
STATE OF KANSAS)
) SS:
MONTGOMERY COUNTY)

BE IT REMEMBERED that this 28 day of May, 2024, before
me, the undersigned, a Notary Public in and for the County and State aforesaid, came
Paula Hayes and _____, who are personally
known to me to be the same person(s) who executed the within instrument of writing
and such person(s) 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.

Joseph M. Gregory
Notary Public

My commission expires:





"Delivering Excellence"

June 24, 2024

Paula Hayes
1041 N. 11th
Independence, Kansas 67301

Subject: Public Hearing Notice Regarding Property at 1041 N. 11th – **Immediate Action Required**

Dear Ms. Hayes:

I am writing to you concerning the property at 1041 N. 11th Street. A Public Hearing to consider condemnation has been scheduled for **July 11, 2024, at 5:30 PM** before the Independence City Commission at 120 N. 6th Street.

To avert condemnation of the aforementioned property, it is imperative that the ensuing actions be expeditiously undertaken:

- **Mortgage/Lien Holder:** Please provide the City Officials with you mortgage lien holder and insurance.
- **Structural Repair:** Should you choose to pursue structural repair, we insist on submitting a detailed timeline outlining the proposed remedial measures. After these repairs, the structure must pass the Housing Quality Standards (HQS) inspection for occupancy. This documentation is to be forwarded to David Cowan at davidc@independencesks.gov.
- **Property Maintenance:** Ensure the sustained maintenance of the property, including the regular mowing and trimming of grass and shrubbery.
- **Demolition Procedures:** If your decision is to proceed with the demolition of the structure, immediate commencement of this process is required. Furthermore, it provides the City with a definitive timeline for the comprehensive removal of the structure and subsequent clearance of the lot. Obtaining a demolition permit from the City of Independence is required for this purpose.

Should you need clarification or have inquiries, please do not hesitate to contact me at 620-332-2528 (office), 620.330.0056 (mobile), or by email at davidc@independencesks.gov.

Your timely cooperation in this matter is appreciated.

Sincerely,

David F. Cowan

David Cowan
Assistant City Manager
Building Official Director

STRATEGIC VISION: *Customer Service Excellence – Continuous Improvement – Teamwork*
P +1.620.332.2528 | M +1.620.330.0056 | F + 1.620.331.1628 | davidc@independencesks.gov
City of Independence | 120 N. 6th Street | Independence, Kansas 67301



REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
July 11, 2024

Department Public Works & Utilities

Director Approval John Garris

AGENDA ITEM Public hearing to consider approving an ordinance vacating an alley in Block One, Chamberlin's Addition connecting Coffeyville Avenue to Cherry Street east of 1st Street.

SUMMARY RECOMMENDATION After opening the hearing, asking for any public comments, and closing the hearing, it is recommended that the ordinance be approved.

BACKGROUND A request was received to maintain a north/south alley connecting Coffeyville Avenue to Cherry Street east of 1st Street. Upon investigation, it was found that the legally defined boundaries of the alley did not match up with the "in place" road surface. After discussions with the two involved landowners and the City Attorney, it was recommended that the City vacate the alley and leave the existing utility easement in place for the utilities in the alley.



FINANCIAL INFORMATION This will lower City maintenance costs.

SUGGESTED MOTION I move to adopt Ordinance No. 4456 vacating an alley in Block One, Chamberlin's Addition.

SUPPORTING DOCUMENTS

1. Ordinance 4456 - City Vacating Alley

ORDINANCE NO. 4456

AN ORDINANCE VACATING AN ALLEY IN BLOCK ONE,
CHAMBERLIN'S ADDITION

Be it ordained by the governing body of the City of Independence, Kansas:

Section 1. The governing body has determined that it is reasonable and prudent to vacate the following alley and it is hereby vacated:

All that part of the North/South alley located in Block 1, Chamberlin's Addition, City of Independence, Montgomery County, Kansas.

Section 2. Ownership of that portion of the alley so vacated shall revert to the owners of the adjacent real estate and proportion to the ownership of frontage of the vacated alley.

Section 3. The City of Independence hereby retains and reserves an easement for all utilities in the vacated alley area plus their repair and maintenance.

Section 4. This Ordinance shall be published in the official City newspaper and shall thereafter take effect thirty (30) days after publication unless one or more interested parties file written protest before expiration of such time, all as provided by law.

Adopted by the governing body of the City of Independence, Kansas on the 11th day of July, 2024

Timothy R. Emert, Mayor

ATTEST:

David Schwenker, City Clerk



REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
July 11, 2024

Department Admin

Director Approval David Cowan

AGENDA ITEM Consider setting the date of September 26, 2024 for a Public Hearing to consider the condemnation of 909 W. Cottonwood Street as dangerous and unsafe.

SUMMARY RECOMMENDATION City Staff recommends setting a Public Hearing date.

BACKGROUND On June 23, 2024, a fire at 909 W. Cottonwood Street caused extensive damage to the structure. City staff recommends scheduling a Public Hearing for September 26, 2024, at 5:30 PM to consider condemnation as dangerous and unsafe.

FINANCIAL INFORMATION The cost of removal if the owner fails to commence repair or removal of the structure.

SUGGESTED MOTION I move to adopt a resolution setting September 26, 2024, at 5:30 PM as the date for a Public Hearing to consider the condemnation of 909 W. Cottonwood as dangerous and unsafe.

SUPPORTING DOCUMENTS

1. RESOLUTION 2024-018 - CONDEMNATION - PH - 909 W Cottonwood
2. 909 W. Cottonwood Pictures
3. Parcel - 909 W. Cottonwood
4. Notice Of Public Hearing
5. 3082506_OE_Report

RESOLUTION NO. 2024-018

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 11th day of July 2024, 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: Lots 12 and 13 of the Central Addition to the City of Independence, Montgomery County, Kansas.

Common Address: 909 W Cottonwood 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 26, 2024** before the Governing Body of the City of Independence, Kansas, at **5:30 p.m.**, in City Hall, 120 N. 6th Street, 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 11th day of July 2024.

(SEAL)

Mayor

City Clerk











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The Parcel Number for this Property is 063-087-25-0-40-20-002.00-0
Quick Ref ID: 3322

Owner Information

Owner Name	EAST LEGON LIMITED PARTNERSHIP
Address	1204 ST TROPEZ DR CARROLLTON, TX 75006

Property Situs Address

Address	909 W COTTONWOOD 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	

2024 Appraised Value

Class	Land	Building	Total
Residential - R	6,090	2,900	8,990
Total	6,090	2,900	8,990

2023 Appraised Value

Class	Land	Building	Total
Residential - R	6,080	2,620	8,700
Total	6,080	2,620	8,700

Tract Description

CENTRAL ADD, S25, T32, R15, Lot 12 & 13, 16011 SQUARE FEET, Lot Width: 100.0 Lot Depth: 163.5 Plat Book/Page A /5
Deed Book/Page 552 /221 320 /143

Deed Information

Book1	Page1	Book2	Page2	Book3	Page3	Book4	Page4
552	221						

Market Land Information

Method	Type	AC/SF	Eff FF	Depth	D-Fact	Inf1	Fact1	Inf2	Fact2	Ovrd	Class	Value Est
Sqft	Primary Site - 1	16011										6,090

Dwelling Information

Dwelling Information		Comp Sales Information	
Res Type	Single-family Residence	Arch Style	Bungalow
Quality	FR-	Bsmt Type	Full - 4
Year Built	1906	Total Rooms	7
Eff Year		Bedrooms	5
MS Style	1 1/2 Story Finished	Family Rooms	
LBCSStruct	Detached SFR unit	Full Baths	1
No. of Units		Half Baths	1
Total Living Area		Garage Cap	
Calculated Area	1,089	Foundation	Stone - 4
Main Floor Living Area	672		
Upper Floor Living Area Pct.	62		
CDU	VP-		
Phys/Func/Econ	VP-/ /		
Ovr Pct Gd/RCN	/144,840		
Remodel	1998		
Percent Complete			
Assessment Class			
MU Cls/Pct			

Dwelling Components

Code	Units	Pct	Quality	Year
Enclosed Wood Deck (SF), Solid Wall	448			
Composition Shingle		100		
Wall Furnace		100		
Plumbing Rough-ins (#)	1			
Enclosed Wood Deck (SF), Screened Walls	120			
Total Basement Area (SF)	672			
Frame, Siding, Vinyl		100		

Raised Subfloor (% or SF)		100		
Plumbing Fixtures (#)	7			
Automatic Floor Cover Allowance				

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"Delivering Excellence"

June 24, 2024

East Legon Limited Partnership
1204 St Tropez Dr
Carrollton, Tx 75006

Subject: Public Hearing Notice Regarding Property at 909 W. Cottonwood – **Immediate Action Required**

To Whom it may concern:

I am writing to you concerning the property at 909 W. Cottonwood Street. The City of Independence will ask the City Commission on July 11, 2024, to set a Public Hearing to consider condemning 909 W. Cottonwood as dangerous and unsafe on **September 26, 2024, at 5:30 PM** before the Independence City Commission at 120 N. 6th Street.

To avert condemnation of the property above, it is imperative that the ensuing actions be expeditiously undertaken:

- **Mortgage/Lien Holder:** Please provide the City Officials with your mortgage lien holder and insurance.
- **Structural Repair:** Should you pursue structural repair, we insist on submitting a detailed timeline outlining the proposed remedial measures. After these repairs, the structure must pass the Housing Quality Standards (HQS) inspection for occupancy. This documentation is to be forwarded to David Cowan at davidc@independences.gov.
- **Property Maintenance:** Ensure the sustained maintenance of the property, including the regular mowing and trimming of grass and shrubbery.
- **Demolition Procedures:** If your decision is to proceed with the demolition of the structure, immediate commencement of this process is required. Furthermore, it provides the City with a definitive timeline for the comprehensive removal of the structure and subsequent clearance of the lot. Obtaining a demolition permit from the City of Independence is required for this purpose.

Should you need clarification or have inquiries, please do not hesitate to contact me at 620-332-2528 (office), 620.330.0056 (mobile), or by email at davidc@independences.gov.

Your timely cooperation in this matter is appreciated.

Sincerely,

David F. Cowan

David Cowan
Assistant City Manager

STRATEGIC VISION: *Customer Service Excellence – Continuous Improvement – Teamwork*
P +1.620.332.2528 | M +1.620.330.0056 | F + 1.620.331.1628 | davidc@independences.gov
City of Independence | 120 N. 6th Street | Independence, Kansas 67301



Date: June 28, 2024
Property Address: 909 W COTTONWOOD ST,
Independence, KS 67301

File No.: 3082506
Title Contact: Ronda Ballew
Contact E-mail: rballew@security1st.com

OWNERS AND ENCUMBRANCES REPORT

For the exclusive use of:
City of Independence
David Cowan

Effective Date of this Report: June 17, 2024 at 7:00 A.M.

On Real Estate described as:

Lots 12 and 13, Central Addition to the City of Independence, Montgomery County, Kansas

The Public Records located in Montgomery County indicate that:

A. Interest in the Land described in this Report is owned, at the Report Effective Date, by:

East Legon Limited Partnership

B. The Real Estate is encumbered by the following Mortgages, Federal Tax Liens, State Tax Liens, Bankruptcies, and Judgments:

1. General taxes and special assessments for the year 2023 in the amount of \$171.00, DELINQUENT.

Property ID # 063-087-25-0-40-20-002.00-0

PIN # IC 4885

Taxes are checked as a courtesy. Information is provided by the County Treasurer's Office on Date of Title Search. Abstracter cannot guarantee accuracy of Tax Records or validity of funds presented for payment. The Company will not be liable for Nuisance Taxes that are not of public record at time of title commitment/policy.

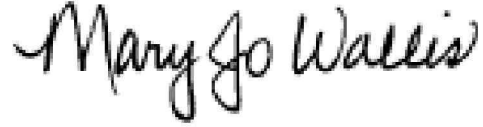
Mailing Address per county records is: 1204 St. Tropez Dr., Carrollton, TX 75006

This Report is limited to only the information described above.

This Report is not nor is to be construed as, an Abstract of Title, Title Opinion, or Title Insurance Policy.

The total liability of this Company by reason of losses and damages that may occur by reason of any errors and omissions in this Company's report is limited to the fee it received for the preparation and issuance of this report.

Security 1st Title

A handwritten signature in black ink that reads "Mary Jo Wallis". The signature is written in a cursive, flowing style.

Licensed Abstracter



**REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
July 11, 2024**

Department Housing

Director Approval April Nutt

AGENDA ITEM Consider authorizing the purchase of Lots 21 through 29, Block D, Horizon Estates.

SUMMARY RECOMMENDATION The Independence Housing Authority requests the City Commission authorize the Mayor to sign the real estate contract between the City of Independence, on behalf of the Independence Housing Authority, and T.L. Carroll Enterprises, L.L.C. for the purchase of lots 21 through 29, Block D, Horizon Estates.

BACKGROUND The Housing Steering Committee made a recommendation to the Independence Housing Authority Board of Directors to purchase the property owned by T.L. Carroll Enterprises, L.L.C. located on Rainbow Drive, lots 21 through 29, Block D, Horizon Estates. The Independence Housing Authority agreed with the steering committee's recommendation.

FINANCIAL INFORMATION To purchase the property, there will be no impact on the City budget. The Independence Housing Authority will be using development funds for the purpose of purchasing the property. There will be an impact on the City budget when the sewer line is extended to serve the nine lots. The estimated cost to extend the sewer line is \$100,000.

SUGGESTED MOTION I make a motion to authorize the Mayor to sign the real estate contract between the City of Independence, on behalf of the Independence Housing Authority, and T.L. Carroll Enterprises, L.L.C. to purchase lots 21 through 29, Block D, Horizon Estates.

SUPPORTING DOCUMENTS

1. 2024.07-02 RE Agreement IHA TL Carroll

REAL ESTATE CONTRACT

This Agreement is entered into by and between **T.L. Carroll Enterprises, L.L.C.**, a Kansas limited liability company, hereafter SELLER, and **City of Independence, Kansas**, a municipal corporation, hereafter BUYER.

WHEREAS, BUYER is entering into this agreement on behalf of and for the benefit of Independence Housing Authority which will provide the funding for the purchase price even though title to the real estate will be held by BUYER since Independence Housing Authority does not have authority to take title to real estate.

NOW THEREFORE, in consideration of the covenants and agreements hereinafter contained, the parties agree to the following:

1. **Property.** SELLER agrees to sell to BUYER, and BUYER agrees to purchase from SELLER, the following described property:

Lots 21 through 29, Block D, Horizon Estates, City of Independence, Montgomery County, Kansas

2. **Purchase Price.** BUYER shall pay SELLER the agreed purchase price of \$125,000.00 to be paid in full at time of closing.

3. **Closing.** The closing date shall be on or before July 22nd, 2024, or as otherwise mutually agreed between the parties. At time of closing, SELLER shall provide BUYER a Warranty Deed to the real estate conveying merchantable title.

4. **Title Insurance.** The parties shall obtain title insurance on the real estate for the benefit of BUYER. SELLER shall satisfy all title requirements of the title insurance company and shall have a reasonable time within which to do so.

5. **Taxes.** SELLER shall be responsible for payment of real estate taxes for 2023 and all prior years. Real estate taxes for 2024 shall be prorated between the parties

through date of closing. Thereafter, real estate taxes shall be the responsibility of BUYER.

6. **Costs.** The parties shall equally split the cost of the title insurance, and any fee charged by the closing agent. SELLER shall be responsible for the cost of preparation of this agreement.

7. **Binding Effect.** This agreement shall be binding upon the heirs, executors, administrators, successors and assigns of the parties hereto.

SELLER:

T. L. Carroll Enterprises, L.L.C.

July 2nd 2024

DATE

By:


Terry L. Carroll, Managing Member

BUYER:

City of Independence

DATE

NAME:

TITLE:

ATTEST:

David W. Schwenker, City Clerk

APPROVAL OF INDEPENDENCE HOUSING AUTHORITY

COMES NOW, Independence Housing Authority, and gives its approval to the above and foregoing agreement with the understanding that it will provide the City of Independence, Kansas, the funds with which to make the purchase.

Independence Housing Authority

DATE

By: _____
April Nutt, Executive Director



**REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
July 11, 2024**

Department Public Works & Utilities

Director Approval John Garris

AGENDA ITEM Consider awarding the bid for the KDOT City Connecting Link Improvement Program (CCLIP) project U-2473-01, Surface Preservation on US-160 from 8th Street to 2nd Street to Bettis Asphalt & Construction, Inc.

SUMMARY RECOMMENDATION Authorize award of project.

BACKGROUND

Kansas Department of Transportation (KDOT) City Connecting Link Improvement Program (CCLIP) applications were due in March for FY 2024 (July 1, 2023 – June 30, 2024). The City applied for two grants, and was awarded both. These grants were later combined into a single KDOT project, U-2473-01, with a maximum reimbursement of \$800,000 to the City for the combined project.

The bid results came back higher than anticipated and are summarized on the attached bid tabulation. The low bid was \$1,117,591.04 from Bettis Asphalt & Construction, Inc, and was 26% higher than TranSystems' Estimate (attached).

Previously approved:

Estimated Cost	Estimated City Match – (10%)	Non-Participating Costs	Total City Cost
\$733,225	\$73,322	\$179,000	\$252,322

Totals based on as-bid:

Low Bid (Bettis Asphalt)	Estimated City Match (All over \$800,000)	Non-Participating Costs (excluding bid costs)	Total City Cost
\$1,117,591.04	\$317,591.04	\$179,000	\$496,591.04

From TranSystems:

“A review of the two bids received indicates that there is a general escalation of expected costs across the board. The escalation can be seen in the Bettis bid in particular in the bid item for Mobilization and Traffic Control, which may be a premium for doing the work at night. As both bids received are close, we do not feel that readvertising and rebidding would result in lower prices.

“We recommend awarding the project to the lowest responsive responsible bid, which is Bettis Asphalt in the amount of \$1,117,591.04.”

KDOT approval will be required to award the bid, and it is recommended that this award be pending KDOT approval.

FINANCIAL INFORMATION Funding for the City's match will come from the City's Street Capital fund. Because this project is \$244,269.04 over for the City's anticipated share, additional dollars from the fund must be allocated to this project instead of future projects.

SUGGESTED MOTION Pending KDOT approval, I move to award the bid for the Surface Preservation on US-160 from 8th Street to 2nd Street Project to Bettis Asphalt & Construction, Inc. and approve the execution of any necessary documents.

SUPPORTING DOCUMENTS

1. Copy of Bid Tab-Main St-8th to 2nd (003)
2. PSE1 160-63 U-2473-01 Cost Estimate

Bid Items	Engineer Estimate		Bettis Asphalt & Construction, Inc.		
	Unit	Quantity			
KDOT Participating					
1 Contrator Construction Staking	LS	1	\$ 2,250.00	\$	2,250.00
2 Mobilization	LS	1	\$ 150,000.00	\$	150,000.00
3 Clearing and Grubbing	LS	1	\$ 1,615.00	\$	1,615.00
4 Common Excavation	CY	114.9	\$ 75.50	\$	8,674.95
5 Rock Excavation	CY	168.4	\$ 102.00	\$	17,176.80
6 Milling(2")	SY	17220	\$ 8.15	\$	140,343.00
7 Emulsified Asphalt	Tons	4.3	\$ 780.00	\$	3,354.00
8 HMA Surface(SM12.5A)(PG 70-28)(2")	Tons	2286	\$ 167.00	\$	381,762.00
9 Concrete Pavement(8" Uniform)(AE)(Plain)	SY	216.5	\$ 157.10	\$	34,012.15
10 Concrete Curb & Gutter	LF	481.5	\$ 38.00	\$	18,297.00
11 Curb Repair	LF	150	\$ 24.00	\$	3,600.00
12 Drilling and Grouting	EA	235	\$ 17.00	\$	3,995.00
13 Aggregate Base (AB-3)(4")	SY	582.5	\$ 18.00	\$	10,485.00
14 Aggregate Base (AB-3)(6")	SY	344	\$ 21.00	\$	7,224.00
15 Water (Agg Base)	MGAL	1	\$ 65.00	\$	65.00
16 Sidewalk Construction(4")(AE)	SY	375.3	\$ 78.00	\$	29,273.40
17 Sidewalk Construction(6")(AE)	SY	52.6	\$ 84.00	\$	4,418.40
18 Sidewalk Ramp	SY	154.6	\$ 225.55	\$	34,870.03
19 Temp. Seeding	LS	1	\$ 2,150.00	\$	2,150.00
20 Fertilizer	LBS.	13.8	\$ 11.00	\$	151.80
21 Sod	SY	171.7	\$ 11.00	\$	1,888.70
22 Pavement Marking(Thermoplastic x White x 4")	LF	4540	\$ 2.75	\$	12,485.00
23 Pavement Marking(Thermoplastic x White x 6")	LF	655	\$ 4.05	\$	2,652.75
24 Pavement Marking(Thermoplastic x Yellow x 4")	LF	3514	\$ 2.75	\$	9,663.50
25 Pavement Marking(Intersection Grade x White x 12")	LF	236	\$ 13.50	\$	3,186.00
26 Pavement Marking(Intersection Grade x White x 24")	LF	1504	\$ 16.50	\$	24,816.00
27 Pavement Marking Symbol(Intersection Grade x White x LT Arrow)	EA	14	\$ 306.00	\$	4,284.00
28 Pavement Marking Symbol(Intersection Grade x White x Handicap)	EA	7	\$ 306.00	\$	2,142.00
29 Sign(Flat Sheet)(High Performance)	SF	31.38	\$ 19.50	\$	611.91
30 Sign Post (2 1/4" Perf Square Steel Tube)	LF	24	\$ 16.50	\$	396.00
31 Sign Post Footing	EA	2	\$ 107.50	\$	215.00
32 Arrow Display	DAY	90	\$ 16.50	\$	1,485.00
33 Prtable Changeable Message Sign	DAY	180	\$ 38.00	\$	6,840.00
34 Temp. Pvt. Marking 4" Solid, Type 1	STA.	60	\$ 193.00	\$	11,580.00
35 Temp. Pvt. Marking 4" Broken 8', Type 1	STA.	60	\$ 75.00	\$	4,500.00
36 Traffic Control	LS	1	\$ 95,000.00	\$	95,000.00
37 Flagger	Hour	1	\$ 30.00	\$	30.00
NON-Participating					
1 Common Excavation	CY	67.7	\$ 75.50	\$	5,111.35
2 Rock Excavation	CY	101.7	\$ 102.00	\$	10,373.40
3 Concrete Curb & Gutter	LF	347	\$ 38.00	\$	13,186.00
4 Aggregate Base (AB-3)(4")	SY	532.1	\$ 18.00	\$	9,577.80
5 Aggregate Base (AB-3)(6")	SY	89	\$ 21.00	\$	1,869.00
6 Sidewalk Construction(4")(AE)	EA	532.1	\$ 78.00	\$	41,503.80
7 Fertilizer	LBS.	3.2	\$ 11.00	\$	35.20
8 Sod	SY	40.1	\$ 11.00	\$	441.10
Participating				\$	1,035,493.39
NON-Participating				\$	82,097.65
Total Base Bid Amount				\$	1,117,591.04

Heck & Wicker, Inc.

\$	12,000.00	\$	12,000.00
\$	78,000.00	\$	78,000.00
\$	10,000.00	\$	10,000.00
\$	100.00	\$	11,490.00
\$	125.00	\$	21,050.00
\$	6.42	\$	110,552.40
\$	2,000.00	\$	8,600.00
\$	163.75	\$	374,332.50
\$	135.00	\$	29,227.50
\$	80.00	\$	38,520.00
\$	80.00	\$	12,000.00
\$	110.00	\$	25,850.00
\$	35.00	\$	20,387.50
\$	40.00	\$	13,760.00
\$	150.00	\$	150.00
\$	98.00	\$	36,779.40
\$	104.00	\$	5,470.40
\$	350.00	\$	54,110.00
\$	12,500.00	\$	12,500.00
\$	100.00	\$	1,380.00
\$	90.00	\$	15,453.00
\$	2.50	\$	11,350.00
\$	2.50	\$	1,637.50
\$	2.50	\$	8,785.00
\$	20.00	\$	4,720.00
\$	40.00	\$	60,160.00
\$	700.00	\$	9,800.00
\$	600.00	\$	4,200.00
\$	60.00	\$	1,882.80
\$	30.00	\$	720.00
\$	400.00	\$	800.00
\$	20.00	\$	1,800.00
\$	30.00	\$	5,400.00
\$	300.00	\$	18,000.00
\$	300.00	\$	18,000.00
\$	32,000.00	\$	32,000.00
\$	75.00	\$	75.00
\$	100.00	\$	6,770.00
\$	125.00	\$	12,712.50
\$	80.00	\$	27,760.00
\$	35.00	\$	18,623.50
\$	40.00	\$	3,560.00
\$	98.00	\$	52,145.80
\$	100.00	\$	320.00
\$	90.00	\$	3,609.00
		\$	1,070,943.00
		\$	125,500.80
		\$	1,196,443.80

PSE1 Estimated Construction Cost
KDOT Project No. 160-63 U-2473-01
City of Independence
U.S. 160 (Main Street) - 8th Street to 2nd Street

ITEM NO.	BASE BID PARTICIPATING BID ITEM	UNIT	UNIT BID PRICE	QUANTITY	COST
1	Contractor Construction Staking	LSUM	\$1,000.00	1.0	\$ 1,000.00
2	Mobilization	LSUM	\$50,000.00	1.0	\$ 50,000.00
3	Clearing & Grubbing	LSUM	\$2,000.00	1.0	\$ 2,000.00
4	Common Excavation	C.Y.	\$8.00	114.9	\$ 919.20
5	Rock Excavation	C.Y.	\$15.00	168.4	\$ 2,526.00
6	Milling	S.Y.	\$5.00	17220.0	\$ 86,100.00
7	Emulsified Asphalt (SS-1HP)	TON	\$850.00	4.3	\$ 3,655.00
8	HMA-Commercial Grade (Class SM-12.5A)(PG 70-28)	TON	\$160.00	2286.0	\$ 365,760.00
9	Concrete Pavement (8" Uniform)(AE)(Plain)	S.Y.	\$86.00	216.5	\$ 18,619.00
10	Curb & Gutter, Combined (AE)	L.F.	\$40.00	481.5	\$ 19,260.00
11	Curb Repair	L.F.	\$50.00	150.0	\$ 7,500.00
12	Drilling & Grouting	EA.	\$20.00	235.0	\$ 4,700.00
13	Aggregate Base (AB-3)(4")	S.Y.	\$15.00	582.5	\$ 8,737.50
14	Aggregate Base (AB-3)(6")	S.Y.	\$20.00	344.0	\$ 6,880.00
15	Water (Aggregate Base)(Set Price)	MGAL	\$35.00	1.0	\$ 35.00
16	Sidewalk Conctruction (4")(AE)	S.Y.	\$65.00	375.3	\$ 24,394.50
17	Sidewalk Conctruction (6")(AE)	S.Y.	\$75.00	52.6	\$ 3,945.00
18	Sidewalk Ramp	S.Y.	\$200.00	154.6	\$ 30,920.00
19	Pavement Marking (Thermoplastic)(White)(4")	L.F.	\$2.00	4540.0	\$ 9,080.00
20	Pavement Marking (Thermoplastic)(White)(6")	L.F.	\$4.00	655.0	\$ 2,620.00
21	Pavement Marking (Intersection Grade)(White)(12")	L.F.	\$10.00	236.0	\$ 2,360.00
22	Pavement Marking (Intersection Grade)(White)(24")	L.F.	\$20.00	1504.0	\$ 30,080.00
23	Pavement Marking (Thermoplastic)(Yellow)(4")	L.F.	\$2.00	3514.0	\$ 7,028.00
24	Pavement Marking (Intersection Grade)(White)(Lt Arrow)	EA.	\$300.00	14.0	\$ 4,200.00
25	Pavement Marking (Intersection Grade)(White)(Handicap)	EA.	\$400.00	7.0	\$ 2,800.00
26	Sign (Flat Sheet)(High Performance)	S.F.	\$35.00	31.4	\$ 1,098.30
27	Sign Post (2 1/4" Perferated Square Steel Tube)	L.F.	\$25.00	24.0	\$ 600.00
28	Sign Post Footing (2 1/4" Perferated Square Steel Tube)	EA.	\$85.00	2.0	\$ 170.00
29	Temporary Erosion Control	LSUM	\$1,000.00	1.0	\$ 1,000.00
30	Fertilizer (16-20-0)	Lbs.	\$10.00	13.8	\$ 138.00
31	Sod (Tall Turf Type Fescue)(Strips)	S.Y.	\$20.00	171.7	\$ 3,434.00
32	Traffic Control	LSUM	\$20,000.00	1.0	\$ 20,000.00
33	Portable Changeable Message Sign (2)	EADA	\$60.00	90.0	\$ 5,400.00
34	Flagger (Set Price)	HOUR	\$25.00	1.0	\$ 25.00

Total Participating = \$ 726,984.50
Contingency (12%) = \$ 87,238.14
Subtotal = \$ 814,222.64

ITEM NO.	BASE BID NON-PARTICIPATING BID ITEM	UNIT	UNIT BID PRICE	QUANTITY	COST
4	Common Excavation	C.Y.	\$8.00	67.7	\$ 541.60
5	Rock Excavation	C.Y.	\$15.00	101.7	\$ 1,525.50
10	Curb & Gutter, Combined (AE)	L.F.	\$40.00	347.0	\$ 13,880.00
13	Aggregate Base (AB-3)(4")	S.Y.	\$15.00	532.1	\$ 7,981.50
14	Aggregate Base (AB-3)(6")	S.Y.	\$20.00	89.0	\$ 1,780.00
16	Sidewalk Conctruction (4")(AE)	S.Y.	\$65.00	532.1	\$ 34,586.50
30	Fertilizer (16-20-0)	Lbs.	\$10.00	3.2	\$ 32.00
31	Sod (Tall Turf Type Fescue)(Strips)	S.Y.	\$20.00	40.1	\$ 802.00

Total Non-Participating = \$ 64,069.10
Contingency (12%) = \$ 7,688.29
Subtotal = \$ 71,757.39

Project Grand Total = \$ 885,980.03



Report
CITY OF INDEPENDENCE
July 11, 2024

Department Admin

Director Approval Kelly Passauer

AGENDA ITEM City Board Minutes

BACKGROUND

SUPPORTING DOCUMENTS

1. Recreation Commission June 26, 2024 Year-End Meeting

INDEPENDENCE RECREATION COMMISSION

Fiscal Year-End Meeting June 26, 2024

**Ash Youth Center
1501 N. 10th Street
Independence, KS 67301**

Members Present:

Christy Mavers
Moises Rivera
Joe Housel
Greg Kelley

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

Greg Kelley moved to approve the agenda as printed. Joe Housel seconded. Motion carried 4-0.

Minutes

Greg Kelley moved to approve the minutes from the May 15, 2024 board meeting. Moises Rivera seconded. Motion carried 4-0.

Bills

Greg Kelley moved to approve the June 2024 invoices and checks for payment as presented in the amount of \$62,799.00 as well as bills and employee benefits paid since the last board meeting in the amount of \$25,641.00. Moises Rivera seconded. Motion carried 4-0.

Treasurer's Report

Galen Palmer reported the following balances as of May 31, 2024: First Oak Bank -Checking: \$187,838.42; First Oak - Petty Cash: \$500.00; Equity Bank - Savings \$13,794.92. Moises Rivera moved to approve the treasurer's report as presented. Greg Kelley seconded. Motion carried 4-0.

PROGRAMS/OPERATIONS

Maintenance Report

Jim Butts answered any questions the board had on the maintenance report. Christy Mavers asked about mowing at the new Central Park Sports Complex and Jim stated he is mowing the skate park and hillside area; TLC is mowing the rest of the complex. Brent stated Jim is also mowing the Arco Complex on South Tenth. Christy asked about the plan for the Arco Complex moving forward and Brent stated that IRC will probably use those fields one more year until the Central Park Complex is finished.

Programs Report

Nick McBride answered any questions the board had on the programs report. A discussion was held on the number of baseball and softball participants, and Nick stated it is looking really good this year. Brent stated that after the discussion at the previous board meeting, he would like to have more time to work on the IRC website. Brent stated that he likes the website and that he feels it is easy to navigate, but does admit it can use some updates and new photos. Christy agreed and suggested a more exciting front page, and she would also like to see scrolling pictures.

Director/Aquatics/Special Events Report

Brent Julian answered any questions the board had on the director/aquatics/special events report. A discussion was held on this year's swim team; Brent stated the participation numbers are down about 25 swimmers this summer. Brent informed the board that swim team coach, Kathy Clapp, is moving away and this is her last season with IRC. Brent stated he will start looking for a new coach for 2025. Moises Rivera asked about the age range for swim lessons and Brent stated that IRC starts swim lessons at four years old per Red Cross recommendations.

BUSINESS/FINANCE

Designated KPERS Agent

Moises Rivera moved to approve appointing Lori Bromley as the designated KPERS agent for IRC. Joe Housel seconded. Motion carried 4-0.

Election of Board Officers

Moises Rivera moved to appoint Christy Mavers as Chairperson, Greg Kelley as Vice-Chair and Joseph Housel as Secretary. Greg Kelley seconded. Motion carried 4-0.

2024-2025 Budget Update

Brent updated the board members on the new budget for the new fiscal year and answered any questions. Brent stated he is requesting to hold the Budget Hearing as well as the RNR

(Revenue Neutral Rate) Hearing at the same time, most likely the September 18th board meeting. Brent informed the board that the mills remain the same at 4 & 1 again this year.

EXECUTIVE SESSION

Joe Housel moved to approve adjourning into executive session at 12:08 p.m. to discuss non-elected personnel and evaluations. Moises Rivera seconded. Motion carried 4-0. The regular meeting re-convened at 12:28 p.m.

Staff Evaluations

Greg Kelley moved to approve a \$1.00 per hour increase for Sports Director, Nick McBride, raising him to \$20.00 per hour as well as a \$1,500 per year salary increase for Office Manager, Lori Bromley, and a \$4,000 per year increase to Director, Brent Julian's salary. Joe Housel seconded. Motion carried 4-0.

Use of IRC Lawyer

Brent informed the board that IRC had a deaf child sign up for swim lessons and the parents requested IRC hires an interpreter for each lesson. Brent stated he has contacted IRC attorney, Seth Jones, to see what the law states in these situations. Mr. Jones informed Brent that IRC is not federally funded so is not legally required to hire an interpreter in this instance, however he did suggest if it is not a financial burden for IRC to do so, it would be a good idea to find an interpreter for the child. Brent stated he has found a lady that does interpreting for the deaf and her name is Connie, and she is willing to interpret all ten lessons for the child in the amount \$200. The board unanimously agreed that is a great deal financially and she should be hired. Brent informed the commission he will get everything set up with Connie.

ITEMS FROM THE COMMISSION

There were no items from the commission.

ADJOURNMENT

The meeting was adjourned at 12:45p.m.

Respectfully Submitted,

Joe Housel
Secretary