

INDEPENDENCE CITY COMMISSION

REGULAR SESSION AGENDA

August 8, 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 - One Vacant Term Expiring June 1, 2028

III. PRESENTATIONS

- A. Swearing in of Officers Stormy Musgrove, Dominic Powell, Yamilka Pereira, and Kayne Abrams.
- B. Presentation of 2025 proposed Library Budget.

IV. 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 July 25, 2024.
- B. Consider authorizing blocking certain streets within Riverside Park during the annual Neewollah 5K/10K Run.
- C. Consider a supplemental agreement for inspection services of the Water Meter and Water Line Replacement Project with PEC.
- D. Consider change order for the construction of the Water Meter and Water Line Replacement Project with Goins Enterprises, Inc.
- E. Consider an ordinance annexing property located on CR 3775, previously known as the 3100 block of North 13th Street.
- F. Consider initiating a public hearing before the Planning Commission to consider a text amendment regarding conditional use permits for upper-story dwellings in the C-3 district.
- G. Consider setting a public hearing for September 12, 2024 at 5:30 PM for the purpose of vacating an alley and a portion of Railroad Street in or adjacent to Block C, Dean's Addition.

V. ITEMS FOR COMMISSION ACTION

- A. Consider awarding the bid for the Riverside Park Security Camera Installation.
- B. Consider Amending Article III. Section 10-101 of the City Code.
- C. Consider approving demolition bids.
- D. Request approval to submit a Moderate Income Housing Grant disbursement #2 request to Kansas Housing Resources Corporation on behalf of Trident Partnerships LLC.

- VI. REPORTS
 - A. City Board Minutes
- VII. CITY MANAGER’S COMMENTS
- VIII. COMMISSIONERS’ COMMENTS
- IX. PUBLIC CONCERNS
- X. ADJOURNMENT



REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
August 8, 2024

Department Admin

Director Approval Kelly Passauer

AGENDA ITEM Tree Board Opening - One Vacant Term Expiring June 1, 2028

SUMMARY RECOMMENDATION Appoint a replacement to the Tree Board.

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 and term expiration. We have received one 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			

FINANCIAL INFORMATION N/A

SUGGESTED MOTION I move to appoint Anita Chappuie to a term on the Tree Board expiring on June 1, 2028.

SUPPORTING DOCUMENTS

1. Tree Board-AnitaChappuie-InsideCity_Redacted

Online Form Submittal: Board Application

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

Tue 7/23/2024 4:25 PM

To: Kelly Passauer <kellyp@independenceks.gov>

Board Application

Board Applying For:	Tree Board
Name	Anita Chappuie
Date	7/23/2024
Address	408 N. 12TH ST
Email Address	
Phone Number	
Educational Background:	
High School Name and Location	Independence High School
Graduated/Degree	HS Diploma
College Name and Location	University of Kansas School of Law
Graduated/Degree	Juris Doctor
Major	Field not completed.
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?	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 recently served on the Independence Park Board. This experience allowed me to gain a better understanding of how city board operate and how they act in concert with the rest of the city governance.

I've also volunteered with the Independence Community

College Tree Committee to work on an inventory of trees on campus.

Why do you want to become a member of the board?	I enjoy being involved in my community. I was born in Independence and have lived here for most of my life. I'm very personally invested in the well being of this city and want to do my part to preserve and enhance it's best attributes.
--	--

Do you feel that there are any issues needing immediate attention by the board? If so, please explain.	<i>Field not completed.</i>
--	-----------------------------

Other comments:	<i>Field not completed.</i>
-----------------	-----------------------------

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



Presentation
CITY OF INDEPENDENCE
August 8, 2024

Department Police

Director Approval Dustin Stafford

AGENDA ITEM Swearing in of Officers Stormy Musgrove, Dominic Powell, Yamilka Pereira, and Kayne Abrams.

BACKGROUND The following officers were selected to serve the citizens of Independence as police officers and have all graduated from the Kansas Law Enforcement Training Center.

Stormy Musgrove

Stormy is an Independence native and has lived in Independence all of his life. His hobbies include Airsoft, shooting drills, gym, hiking and kayaking. Stormy's family and friends told him that his personality is well suited for law enforcement.

Dominic Powell

Dominic's family moved here from California when he was 6. From his family, he learned dedication, passion, never giving up, and always trying again. Being a police officer has always been a lifelong dream of his. As soon as he turned 21, he took his chance. The dedication to the community and the ability to protect and serve, not just the community, but the younger generations to come, is what drew him to this career.

Kayne Abrams

Kayne is originally from Bartlesville, Oklahoma, and moved to Dewey about eight years ago. He lived there until relocating to Independence last November. He grew up in a law enforcement family. His father served with the Bartlesville Police Department, and he has always aspired to a career in law enforcement.

Yamilka Pereira

Yamilka is originally from Puerto Rico but was raised in Independence. Her family moved here from Puerto Rico when she was about 13 years old because of a job transfer. Growing up, she learned from her parents what it is to help and serve people, like "adopting" students from ICC, by serving their church, giving a listening word to someone who needs it, and training a fighting crew to help them succeed. Her parents also opened a restaurant called Vintage Steak House. She put to work what they taught her, and is now serving her community as an officer and will be able to help people in anything they need. She says, "It's an honor to be part of a great team that serves and protects their community."

SUPPORTING DOCUMENTS



Presentation
CITY OF INDEPENDENCE
August 8, 2024

Department Admin

Director Approval Lacey Lies

AGENDA ITEM Presentation of 2025 proposed Library Budget.

BACKGROUND Library Director John Long has requested to present the Library's proposed 2025 budget.

SUPPORTING DOCUMENTS

1. 2024.07 Library Budget for 2025

Proposed Budget for the Independence Public Library
Fiscal Year, January 1 - December 31

								2023	Estimate 2024	Year 2025
								Actual	Adopted	Proposed Budget
General Fund Income/Expense										
		Income								
			Carry Forward Balance					80,049	70,986	70,986
			District Funding					333,730	397,727	420,099
			City Funding					230,158	246,084	250,000
			Desk Collections					11,667	6,000	12,451
			Interest					417	250	250
			Other Income					7,449	6,100	6,100
Total Income								663,469	727,147	759,886
Gross Profit								663,469	727,147	773,384
		Expense								
			Capital Outlay					0	5,000	5,000
			Library Materials Expense					38,257	56,500	53,500
			Operating Expense							
			Classes, Events and Outreach					5,591	6,032	6,000
			Contingency Fund					0	1,000	1,000
			Dues and Education					2,164	4,860	5,000
			Furniture & Equipment					16,410	7,238	8,500
			Legal Publishing					380	100	200
			Liability Insurance							
			Library & Office Supplies					18,152	12,540	17,000
			Miscellaneous					1,630		
			Professional Services					11,162	11,300	11,300
			Repair & Maintenance					17,788	12,130	13,160
			Shipping					6,049	7,000	7,500
			Software, Systems					12,114	6,225	5,525
			Utilities					29,713	44,000	45,000
			Total Operating Expense					121,154	112,425	120,185
			Personnel Expense							
			Payroll and Taxes					349,769	385,541	405,018
			Employee Benefits					96,285	96,695	105,197
			Total Personnel Expense					446,054	482,236	510,215
Total Expense								605,464	656,161	688,900
Net Income								58,005	70,986	70,986
Restricted Funds Income/Expense										
		Income								
			Carry Forward Balance					53,654	45,186	45,186
			Other Income - Grants, Donation					32,848	30,000	30,000
Total Income								86,502	75,186	75,186
		Expense								
			Library Materials Expense					7,876	13,000	13,000
			Other Expense					47,221	17,000	17,000
Total Expenses								21,086	30,000	30,000
Net Income								65,417	45,186	45,186



REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
August 8, 2024

Department City Clerk

Director Approval David Schwenker

AGENDA ITEM Consider approving City Commission minutes from July 25, 2024.

SUMMARY RECOMMENDATION Approve the minutes.

BACKGROUND

FINANCIAL INFORMATION

SUGGESTED MOTION I move to approve the minutes from July 25, 2024

SUPPORTING DOCUMENTS

1. July 25 2024 Minutes

Minutes of the City Commission's July 25, 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; Seth Jones, City Attorney; David Schwenker, City Clerk/City Treasurer; John Garriss, City Engineer/Director of Public Works and Utilities; Shawn Wallis, Fire Chief; Dustin Stafford, Chief of Police and Derek Bryant, Assistant Chief of Police.

Visitors Present: Larry McHugh, Breanne Sanford, Hillary Nolen, Ned Stichman and Tabatha Snodgrass.

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 Dean Hayse, the Commission adopted the agenda.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

II. APPOINTMENTS

A. Tree Board Opening - Applications extended to August 2, 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 have one opening on the Tree Board due to a resignation. Citizens may apply for this opening by August 2, 2024 using this link: [City Board Application](#)

Minutes of the City Commission's July 25, 2024 Meeting

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			

B. Park Board Openings - Three terms Expired, One Resignation

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, and extended again to July 19, 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 require residency within the City limits, so a minimum of two applicants who live inside the City limits must be appointed. We have received four applications from individuals residing inside the City.

Minutes of the City Commission's July 25, 2024 Meeting

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.

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.			

Motion:

On the motion of Tim Emert, seconded by Dean Hayse, the Commission appointed Matt Housel, David Fritzemer and Angie Musgrove to a first term on the Park Board ending on July 1, 2027.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

Motion:

On the motion of Tim Emert, seconded by Dean Hayse, the Commission appointed Barb Beurskens to an existing term ending on July 1, 2026.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

III. PROCLAMATION

Minutes of the City Commission's July 25, 2024 Meeting

- A. Consider proclaiming August 3, 2024 as Carrie Ingalls Swanzey Day in the City of Independence, Kansas.

We received a request from Brea Sanford, acting as a liaison for the owner of the Ingalls-Wilder-Lane Historical Alliance, John Bass, to proclaim August 3, 2024 as Carrie Ingalls Swanzey Day.

Motion:

On the motion of Tim Emert, seconded by Scott Smith, the Commission proclaimed August 3, 2024 as Carrie Ingalls Swanzey Day.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

IV. PRESENTATIONS

- A. Presentation of the 2023 Audit.

Sean Gordon of Gordon C.P.A. presented the 2023 audit report of the City's finances.

V. 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 approving City Commission minutes from July 11, 2024.

Suggested Motion:

I move to approve the minutes from July 11, 2024.

- B. Consider authorizing blocking certain streets within Riverside Park during the 17th annual Yona Strong 5K Run.

The Yona Strong 5K Run is an annual event held at Riverside Park in memory of Yona Julian, who was a well-known member of the Independence

Community. This will be the event's 17th year.

Suggested Motion:

I move to authorize blocking certain streets within Riverside Park on September 7, 2024 from 8:00 A.M. to 11:00 A.M. during the 17th Annual Yona Strong 5K Run.

- C. Consider revising the ordinance to include an additional parcel as part of a previously approved request from Trevor and Miranda Bruening to annex their property located on CR 3775, previously known as the 3100 block of North 13th Street.

On June 27, 2024 the City Commission previously approved Resolution 2024-016 to petition Montgomery County to allow the annexation of this property. Upon review by Montgomery County, it was discovered we were missing a parcel. The City Attorney has prepared a new petition including both parcels. The staff is asking the Commission to approve Resolution 2024-018, amending Resolution 2024-016.

The staff has provided the following background from the previous request for the annexation of this property for the Commission's review:

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.

Suggested Motion:

I move to approve Resolution 2024-018, which amends Resolution 2024-016 to add a parcel to the petition to Montgomery County to allow the annexation of this property into the City limits of Independence, Kansas, as requested by the property owners.

VI. ITEMS FOR COMMISSION ACTION

- A. Consider adopting an ordinance amending the hours during which consumption of alcohol shall be allowed within the common consumption area.

The Main Street organization has requested a modification to the current hours during which the purchase, possession, and consumption of alcoholic liquor or cereal malt beverage are permitted within the designated common consumption area in Independence, Kansas. The current ordinance, Section 6-91 of the City Code, specifies that these activities are allowed between the hours of 4:00 p.m. and 10:00 p.m., Monday through Thursday, and between 10:00 a.m. and 12:00 a.m., Friday and Saturday.

The proposed ordinance amendment seeks to extend these hours to allow for the purchase, possession, and consumption of alcoholic liquor or cereal malt beverage within the common consumption area between 9:00 a.m. and 2:00 a.m. the following day, Monday through Saturday. On Saturday, the permissible hours extend until 2:00 a.m. on Sunday morning.

The extension of hours is intended to provide greater flexibility and promote increased economic activity within the common consumption area. By extending the hours, local businesses and events can benefit from longer operational times, potentially attracting more visitors and enhancing the vibrancy of the downtown area.

Motion:

On the motion of Dean Hayse, seconded by Scott Smith, the Commission adopted the ordinance amending the hours during which the purchase, possession, and consumption of alcoholic liquor or cereal malt beverage shall be allowed within the common consumption area as proposed and amended.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

- B. Consider authorizing a First Amended Development Agreement with VSE Aviation Services, LLC (a KS Corporation) and its parent company VSE Aviation, Inc.

The City Commission approved a development agreement with VSE Aviation Services, LLC on November 17, 2022. However, since then, the estimated project cost has been reduced, thus reducing their annual payments. The First Amended Development Agreement modifies the annual payment amount, and everything else stays the same.

Motion:

On the motion of Scott Smith, seconded by Dean Hayse, the Commission authorized a First Amended Development Agreement with VSE Aviation Services, LLC (a KS Corporation) and its parent company VSE Aviation, Inc.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

- C. Consider authorizing acceptance of the KDOT City Connecting Link Improvement Program (CCLIP) grants for KDOT fiscal year 2027 – Geometric Improvements project, 10th Street, Main to Laurel.

Kansas Department of Transportation (KDOT) City Connecting Link Improvement Program (CCLIP) applications were submitted in March. KDOT has selected the Geometric Improvement project for funding in state fiscal year 2027 (July 1, 2026 – June 30, 2027). The maximum funding obligation amount is \$1,500,000.

The following project was funded:

CCLIP Application, Pavement Restoration, 10th Street from Main to Laurel, full depth replacement of curb, gutter, pavement, and storm sewer.

Estimated Cost	Estimated City Match – (10%)	Non-Participating Costs	Total City Cost
\$1,700,000	\$200,000	\$0	\$200,000

Motion:

On the motion of Dean Hayse, seconded by Scott Smith, the Commission approved acceptance of KDOT's CCLIP Program for 10th Street from Main to Laurel, and for execution of any necessary documents required by KDOT.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

Minutes of the City Commission's July 25, 2024 Meeting

VII. REPORTS

A. City Board Minutes

1. June 26, 2024 IPL Board of Trustees.

B. July 2024 Projects and Public Works Report

Engineer Garris presented the report.

VIII. CITY MANAGER'S COMMENTS

City Manager Passauer reminded the Commission of a special meeting coming up on August 7 at 9 AM in the Commission Room; upcoming events that are hosted by the Chamber and Main Street, a planning Commission zoning code update meeting on July 30th, Labette Health groundbreaking at 10 am. on July 31st with the Governor in attendance and announced the new Assistant Police Chief Derek Bryant. Chief Stafford introduced him.

IX. COMMISSIONERS' COMMENTS

Commissioner Hayse voiced a citizen concern about the breaks in the curbing for the new city parking lot, particularly around the handicap parking and the sod is wearing out and creating a pathway and concerns about the timeline for the 2025 budget and the housing initiatives that would be included in the budget.

Commissioner Emert wondered about the bottleneck regarding code enforcement and if there was a need for additional staffing. Assistant City Manager Cowan replied the bottleneck was due to the court system and not staffing. Commissioner Emert heard from citizens who are wondering if anything is going to be done to the cemetery wall on the east side of the property.

X. PUBLIC CONCERNS

None

XI. ADJOURNMENT

Motion:

Minutes of the City Commission's July 25, 2024 Meeting

On the motion of Scott Smith, seconded by Tim Emert, 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



REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
August 8, 2024

Department Park, Zoo & Cemetery

Director Approval Scott Patton

AGENDA ITEM Consider authorizing blocking certain streets within Riverside Park during the annual Neewollah 5K/10K Run.

SUMMARY RECOMMENDATION Authorize blocking certain streets within Riverside Park on October 19, 2024, from 7:00 A.M. to 11:00 A.M. during the Neewollah 5K/10K Run.

BACKGROUND The Neewollah 5K/10K Run is an annual event held at Riverside Park as part of the autumn Neewollah festival. The event coincides with the Chili Cook-Off held at the park oval. The route winds through the park, passes through Shulthis Stadium, and continues along Wells Drive. In the interest of safety, certain streets are barricaded off during the hours of the run, which lasts from 7:00 AM to 11:00 AM. The event is usually very well attended. The event is scheduled for October 19, 2024.

FINANCIAL INFORMATION There will not be a significant financial impact due to this event.

SUGGESTED MOTION I move to authorize blocking certain streets within Riverside Park from 7:00 AM to 11:00 AM on October 19, 2024, for the annual Neewollah 5K/10K Run.

SUPPORTING DOCUMENTS

1. 5K Map 2024-compressed
2. 10K Map 2024-compressed
3. Neewollah 5K10K Barricades

2022 Neewollah 5K

Independence, KS

Measured by:
Trevor Darmstetter
trevor@timerguys.com
9/7/2022

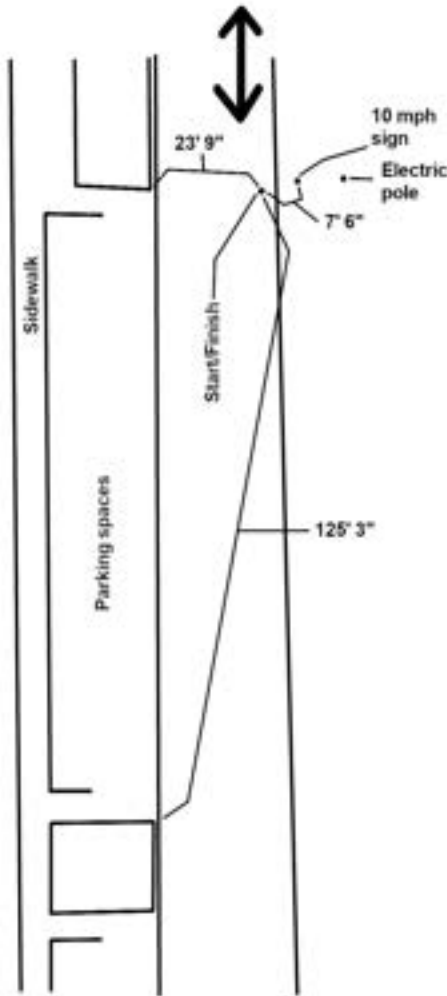
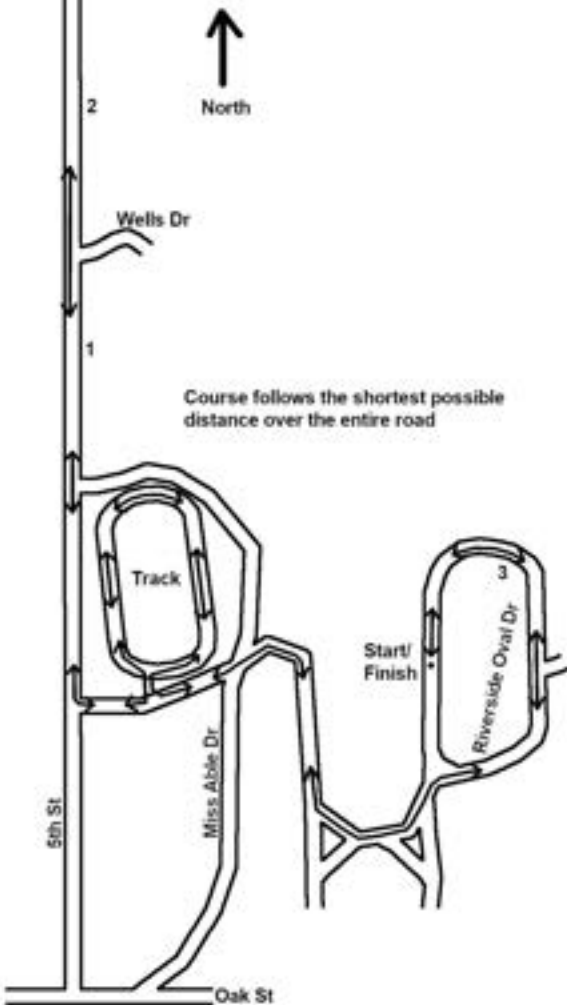
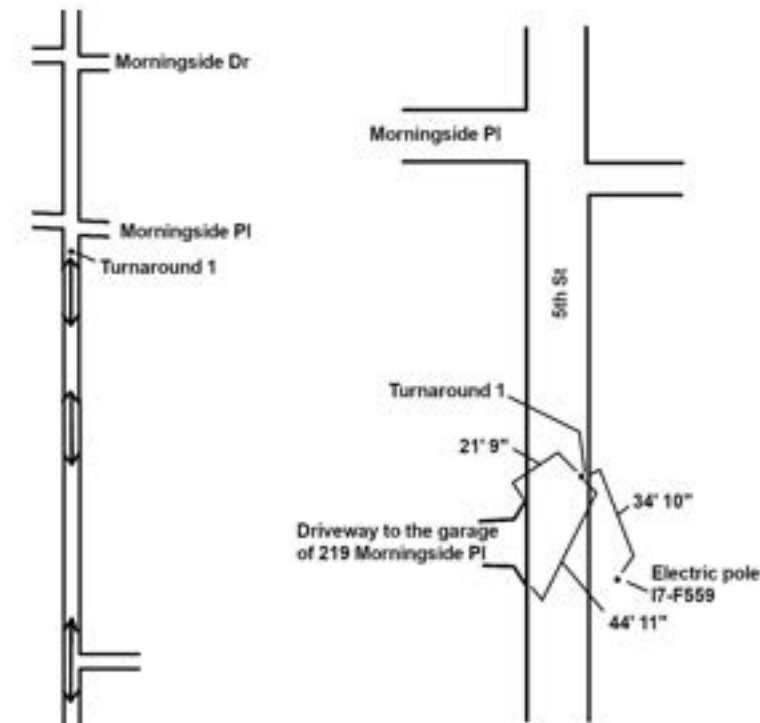
Start / Finish - Even with N edge of sidewalk ramp, 7' 6" from 10 mph sign next to electric pole, 23' 9" from SE corner of cutout, and 125' 3" from NE corner of cutout

Mile 1 - 37' 1" N of N edge of parking S of cemetery road

Turnaround 1 - 21' 9" from N corner of driveway to the garage of 219 Morningside Pl, 44' 11" from S corner of drive, and 34' 10" from electric pole I7-F559

Mile 2 - 57' 4" S of drive to 1736 5th St

Mile 3 - 24' 7" S of electric pole B02339



2022 Neewollah 10K

Independence, KS

Measured by:
Trevor Darmstetter
trevor@timerguys.com
9/7/2022

Start / Finish - Even with N edge of sidewalk ramp, 7' 6" from 10 mph sign next to electric pole, 23' 9" from SE corner of cutout, and 125' 3" from NE corner of cutout

Mile 1 - 37' 1" N of N edge of parking S of cemetery road

Turnaround 1 - 40' 6" from stop sign at Morningside Dr and 5th St, and 45' 1" from fire hydrant

Mile 2 - 121' 7" S of mailbox to 2170 5th St

Mile 3 - 3' 8" W of electric pole W of camp road

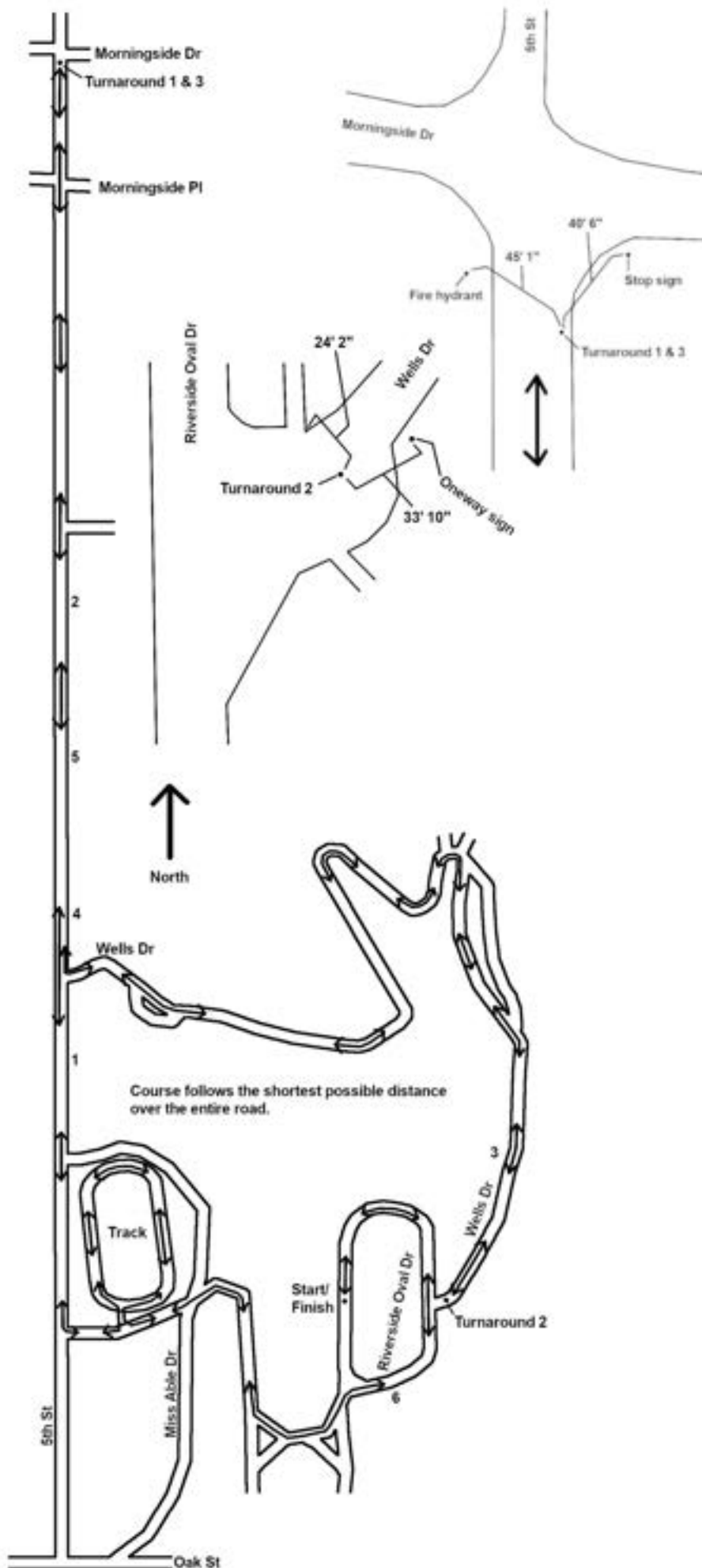
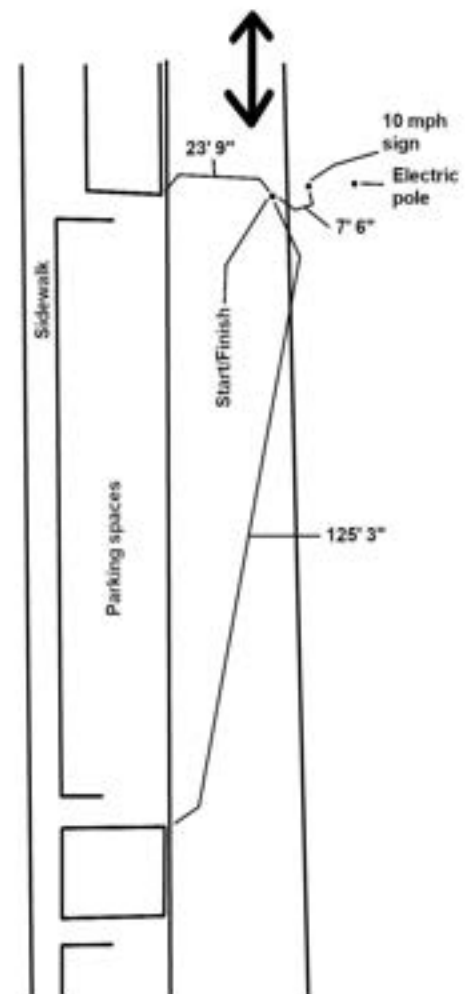
Turnaround 2 - 33' 10" from oneway sign, and 24' 2" from SE corner of sidewalk where it meets the road

Mile 4 - 72' 2" S of cemetery road across from 4656 5th St

Turnaround 3 - 40' 6" from stop sign at Morningside Dr and 5th St, and 45' 1" from fire hydrant

Mile 5 - 2' 4" N of N edge of N track access gate

Mile 6 - 8' 5" E of E edge of southern parking spaces

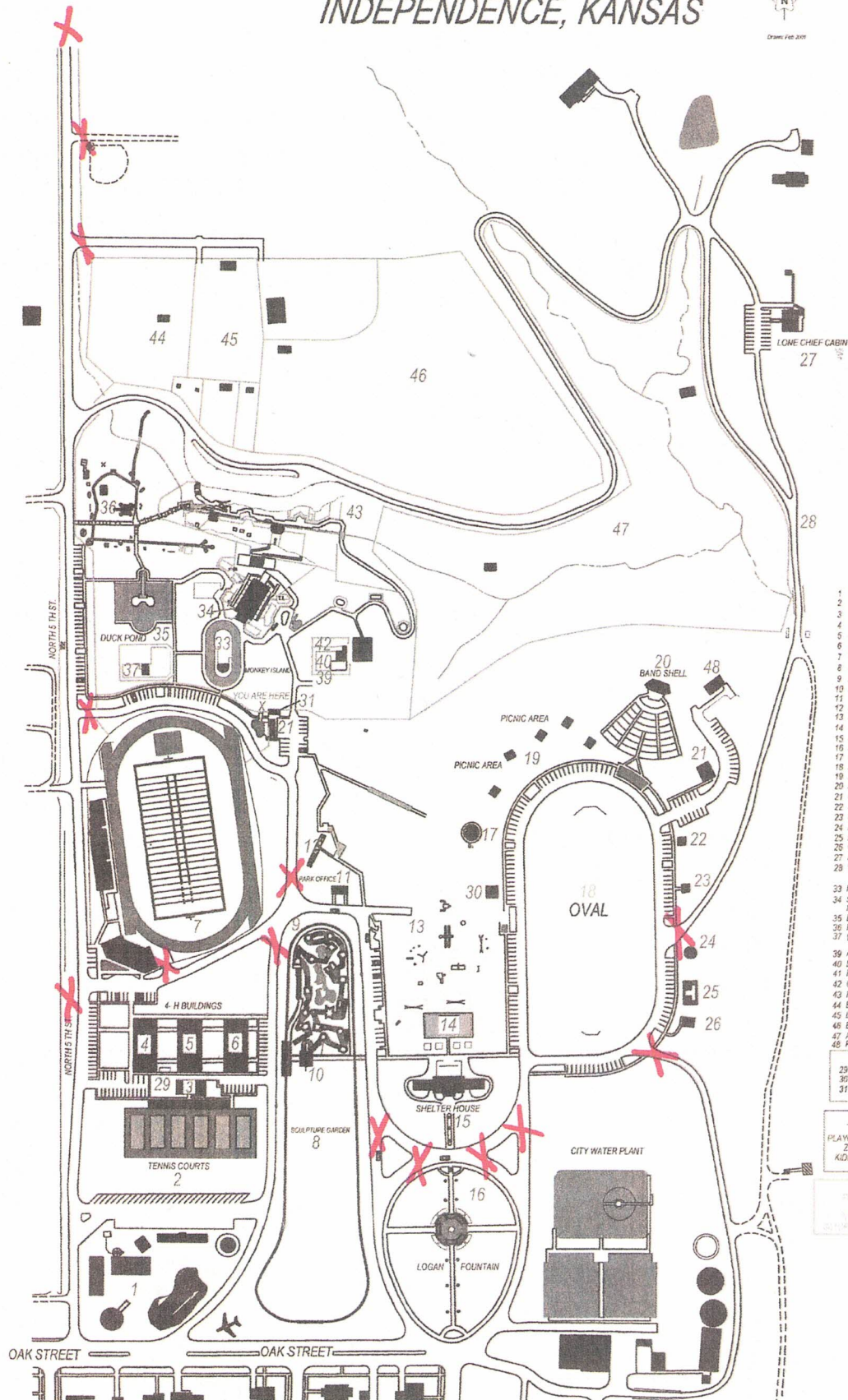


RIVERSIDE PARK INDEPENDENCE, KANSAS



Drawn Feb 2011

VERDIGRIS RIVER



- 1 RIVERSIDE BEACH FAMILY AQUATIC CENTER
- 2 KEN BROWN TENNIS COURTS
- 3 TENNIS CLUB HOUSE
- 4 ENCLOSED 4-H BUILDING
- 5 MIDDLE OPEN 4-H BUILDING
- 6 EAST OPEN 4-H BUILDING
- 7 EMMAOT FIELD
- 8 SCULPTURE GARDEN
- 9 MINIATURE GOLF COURSE
- 10 MINIATURE TRAIN
- 11 GARDEN CLUB HOUSE & PARK OFFICE
- 12 SANTA FE 1050 TRAIN
- 13 HUNTER PLAYGROUND
- 14 CORYTHOSAURUS DINOSAUR
- 15 STICK SHELTER HOUSE
- 16 LOGAN FOUNTAIN
- 17 CAROUSEL
- 18 PARK OVAL
- 19 KIWANIS SHELTERS
- 20 BOB HILLE RIVERSIDE BOWL (BANDSHELL)
- 21 CONCESSION HOUSE
- 22 SCHOOL HOUSE SHELTER
- 23 OPEN SHELTER
- 24 LEONARD OPEN SHELTER
- 25 HORSE SHOE PIT
- 26 OPEN SHELTER
- 27 LONE CHIEF CABIN
- 28 WELLS DRIVE- ONE WAY ZOO
- 33 MONKEY ISLAND
- 34 STEVENS BLUE BARS
- 35 MAIN ZOO EXHIBIT BUILDING
- 36 DUCK POND
- 37 KIDDY LAND
- 38 WALLABY EXHIBIT & EMU EXHIBIT
- 39 AFRICAN SPURRED TORTOISES
- 40 DOWNEY EXHIBIT
- 41 KIDDY LAND
- 42 QUAIL EXHIBIT
- 43 RAVINE- NATIVE KANSAS ANIMALS
- 44 ELK PEN
- 45 LLAMA PEN
- 46 BISON AND DEER PEN
- 47 AQUADAM PEN
- 48 ROCK KITCHEN

29 4-H BUILDING
30 HORNER PLAYGROUND
31 RALPH MITCHELL ZOO

DRINKING FOUNTAIN
CAROUSEL AREA
PLAYGROUND RESTROOM AREA
ZOO RESTROOM AREA
KIDDY LAND PLAYGROUND
TENNIS COURTS

OPEN 4-H BUILDING
OPEN 4-H BUILDING
OPEN 4-H BUILDING
OPEN 4-H BUILDING

UPDATED JUNE 27 TH 2011
BY: MIKE CONWAY



REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
August 8, 2024

Department Public Works & Utilities

Director Approval John Garris

AGENDA ITEM Consider a supplemental agreement for inspection services of the Water Meter and Water Line Replacement Project with PEC.

SUMMARY RECOMMENDATION Approve supplemental agreement

BACKGROUND

During July of 2023, an inspection services contract was executed with PEC in the amount of \$120,575.00. PEC has requested an additional \$24,745.20 for two reasons – the first is that the construction contract time will have been exceeded by four days. This contract time, for PEC, will end on August 16, when they will be leaving site. This is a secondary driver, \$5,467.20 or approximately 20% of the cost deviation.

The primary driver is that the originally anticipated work hours (9 per day) was exceeded and became an average workday of 10.3 hours. To help control additional costs, we are terminating PEC inspection services on August 16, at which construction of the water mains should be complete or close enough that the City can review any additional water main construction. Remaining construction after this will be installation of individual customer service lines, where there will be low risk of issues related to quality and installation of the final meters.

FINANCIAL INFORMATION This change will be paid for using the State of Kansas Revolving Fund loan funds.

SUGGESTED MOTION

I move to approve the supplemental agreement with PEC in the amount of \$24,745.20.

SUPPORTING DOCUMENTS

1. 230420-000 - SA No. 1_20240802

August 2, 2024

Mr. John Garris
City of Independence
120 N 6th Street
P.O. Box 188
Independence, KS 67301

Reference: Independence Waterline Improvements & Meter Replacement – Inspection Services
Supplemental Agreement No. 1
Original Contract Date: July 17, 2023
PEC Project No. 230420-000

Dear Mr. Garris:

This Supplemental Agreement by Professional Engineering Consultants, P.A. (PEC) modifies the referenced Agreement, and any other previous Supplemental Agreements as may be noted herein.

A. Modification of Scope:

1. Additional Inspection Services provided by PEC Field Services due to additional Contract Time being added to Project and additional Contractor Working Hours exceeding original hours scoped.
2. The additional fee by this Supplemental Agreement will continue full-time Inspection Services through August 16, 2024 at which point Inspection Services will terminate.

B. Payment Provisions:

1.	Original Contract amount	\$	120,575.00
2.	Net change by previous Supplemental Agreement(s)	\$	0.00
3.	The contract amount will increase by this Supplemental Agreement	\$	24,745.20
4.	The new contract amount including this Supplemental Agreement	\$	145,320.20

C. Authorization to Proceed:

1. Return receipt of this executed Supplemental Agreement will be considered our authorization to proceed.

Sincerely,
PROFESSIONAL ENGINEERING CONSULTANTS, P.A.


Matthew J. Haug, P.E., PTOE
VP Inspection

GSA:apg
ACCEPTED:

CITY OF INDEPENDENCE

By: _____

Title: _____

Date: _____



REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
August 8, 2024

Department Public Works & Utilities

Director Approval John Garris

AGENDA ITEM Consider change order for the construction of the Water Meter and Water Line Replacement Project with Goins Enterprises, Inc.

SUMMARY RECOMMENDATION Approve Change Order.

BACKGROUND

In 2023, a construction contract was executed with Goins Enterprises for the construction of the Water Meter and Water Line Replacement Project. To date, there have been no change orders with monetary impact. Change Order 3., however, requests a change in the amount of \$47,100 for three items:

- Replacement of a driveway in a greater quantity than anticipated by the original contract documents (i.e., rather than create a two-foot-wide strip, the driveway was replaced to a full concrete pane width): \$4,800.
- Additional waterline required for connection to existing City mains as the existing main shown on the plans had previously been abandoned: \$36,500
- Railroad requirements for boring under the railroad were deeper than those shown on the plans: \$5,800.

In addition, Goins has requested 31 additional construction days. These recommendations have been validated by the engineering firm as valid and reasonable.

FINANCIAL INFORMATION This change will be paid for using the State of Kansas Revolving Fund loan funds.

SUGGESTED MOTION I move to approve change order number 3 with Goins Enterprises, Inc. in the amount of \$47,100.

SUPPORTING DOCUMENTS

1. 200535-001 - Change Order No 3

CHANGE ORDER No. 3Date of Issuance: 7/23/2024

Project Name: Waterline and Meter Replacement	Owner: City of Independence	Owner's Project Number:
Engineer's Project Number (if applicable): 35-200535-001-0918	Date of Contract: 8/24/2023	
Contractor: Goins Enterprises, Inc.	Funding Agency Project Number (if applicable): 3058	

The following changes are hereby made to the CONTRACT DOCUMENTS:**Justification:** See attached table for contract price and time changes.**☒ Change to CONTRACT PRICE**

Original CONTRACT PRICE: \$ 3,497,675.00

Current CONTRACT PRICE (as adjusted by previous CHANGE ORDERS): \$ 0.00

Increase in CONTRACT PRICE as of this Change Order: \$ 47,100.00

The new CONTRACT PRICE incorporating this CHANGE ORDER: \$ 3,544,775.00

☒ Change to CONTRACT TIME:Original Contract Times: ☐ Working Days ☒ Calendar DaysSubstantial completion days : 120Final completion days : 150

The CONTRACT TIME (as adjusted by previous CHANGE ORDERS):

Substantial completion days : 140Final completion days : 140

Increase in CONTRACT TIME as of this Change Order:

Substantial completion days : 50Final completion days : 50

CONTRACT TIMES with all approved CHANGE ORDERS:

Substantial completion days : 310Final completion days : 340**REQUESTED:**By: _____
Contractor (Authorized Signature)Date: _____
Approved by Funding Agency (if applicable):**RECOMMENDED:**By: _____
Engineer (Authorized Signature)

Date: _____

ACCEPTED:By: _____
Owner (Authorized Signature)

Date: _____

Date: _____

Contract Price	
628 Beech - Driveway	\$4,800
13th and Beech Additional Waterline	\$36,500
Railroad Change (rock due to additional depth)	\$5,800
Contract Days	
Adjusted days from 4/15 NTP (120 Sub, 150 Final)**	19
Change in Alignment at 13th and Beech	1
Change in Alignment at 11th and Beech	2
Delays due to railroad permitting	14
13th and Beech Additional Waterline	14
UPDATED SUBSTANTIAL COMPLETION DATE	9/11/2024
UPDATED FINAL COMPLETION DATE	10/11/2024

** Original NTP was 11/8/23

Original Contract Time : Substantial=120 days Final=150 days

Change Order 2 : Add 140 days to Substantial and Final

After CO2 : Substantial = 7/24/24 Final=8/23/24

Actual Construction Start : 4/15/24

Actual Substantial = 8/12/24 Actual Final = 9/11/24

19 days needed to get contract time to line up with Actual Substantial/Final



GOINS ENTERPRISES, INC.

3255 N County Ln 252
Joplin MO 64801
Phone (417) 659-6082 Fax (417) 659-6092
E-mail contact@goinsent.com

CHANGE ORDER REQUEST

Date: 05/02/2024

SUBMITTED TO:
PEC
Attention: Gage Scheer, PE
Phone: 316-206-1308
Email: gage.scheer@pec1.com

Project: Waterline and meter Replacement
TYPE: Bore
ADDRESS: 628 W Beach St
LOCATION: Independence, KS

WE ARE PLEASED TO PROVIDE A PROPOSAL FURNISHING ALL MATERIALS AND
PERFORMING ALL LABOR NECESSARY TO COMPLETE THE FOLLOWING:

Option #1

Bore under the drive of 628 W Beach ST located in Independence, KS

\$8,320.00

Option #2

10' x 30' Concrete Repair and patch back from expansion Joint to Expansion Joint

\$4,800.00



GOINS ENTERPRISES, INC.

3255 N County Ln 252
Joplin MO 64801
Phone (417) 659-6082 Fax (417) 659-6092
E-mail contact@goinsent.com

CHANGE ORDER REQUEST

Date: 07/08/2024

SUBMITTED TO:
PEC
Attention: Gage Scheer, PE
Phone: 316-206-1308
Email: gage.scheer@pec1.com

Project: Waterline and Meter Replacement
TYPE: Water Main
ADDRESS: 13th and Beech St
LOCATION: Independence, KS
Change Order #2

WE ARE PLEASED TO PROVIDE A PROPOSAL FURNISHING ALL MATERIALS AND PERFORMING ALL LABOR NECESSARY TO COMPLETE THE FOLLOWING:

Option B

\$36,500.00

Extend new 8" water Main from the tie in point STA 100 to the north approximately 140' and tie into the existing 6" CIP in the alley

14 Additional Calander Days Requested, includes installation, testing and restoration

Pricing includes material price increases.

130' 8" RJ pipe at \$ 161 = 20,930

10' 6" rj pipe at \$168 = \$1,680

6x6 Tapping Sleeve and Valve= \$4,930

Driveway pavement at \$144 LF = \$5,472

Site Clearing and Restoration = 1600

Erosion control = 250

Seeding = 100

Traffic Control = 340

Mobilization = 1,198

Rail Road Permit Delay (6-7-24 to 6-18-24)

\$5,800

14 Additional Calander Days Requested for the delay in our construction timeline

Goins was not able to utilize the equipment in another area because of the uncertainty in how long it would take for the extension to be approved

Extra Depth and change from 5' original depth to 8' put the bore in rock per ne DWG dated 6-21-24

Extra Fittings Required per new DWG dated 6-21-24



REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
August 8, 2024

Department Admin

Director Approval Kelly Passauer

AGENDA ITEM Consider an ordinance annexing property located on CR 3775, previously known as the 3100 block of North 13th Street.

SUMMARY RECOMMENDATION Adopt the ordinance.

BACKGROUND The County Commission has approved the annexation of the property that was petitioned to be annexed by Trevor and Miranda Bruening. The next step is to adopt an ordinance finalizing the annexation.

FINANCIAL INFORMATION There is no significant financial impact regarding this annexation.

SUGGESTED MOTION I move to adopt Ordinance No. 4459 annexing property located on CR 3775, previously known as the 3100 block of North 13th Street.

SUPPORTING DOCUMENTS

1. Ordinance 4459 - Annexing Property Located on CR 3775 - 3100 N 13th
2. 072524-BrueningAnnexation

ORDINANCE NO. 4459

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

Section 1. Trevor Jay Bruening Miranda Dawn Bruening, husband and wife, have consented in writing to annexation by the City of the hereinafter described real estate owned by them. On July 25, 2024, the governing body adopted Resolution No. 2024-018 requesting the Board of County Commissioners of Montgomery County, Kansas to find and determine that the annexation of the Bruening's property will not hinder or prevent the proper growth and development of the area, and that the annexation be approved. On August 5, 2024, The Board of County Commissioners of Montgomery County, Kansas made the necessary findings and approved the annexation.

Section 2. Having complied with all statutory requirements, the following described real estate is hereby annexed by the City:

Tract 1: Being a tract of land located in a portion of the SE/4 of Section 13, Township 32 South, Range 15 East of the 6th P.M., Montgomery County, Kansas, being more particularly described as follows:

Commencing at the Southwest corner of the NE/4 of the SE/4 of said Section 13, thence N 00°10'54" W along the West line of said NE/4 of the SE/4 a distance of 809.30 to the point of beginning, thence N 00°10'54" W along said West line a distance of 513.22 feet to a point on the North line of said SE/4, thence S 89°49'34" E along said North line a distance of 155.28 feet, thence S 03°01'47" W a distance of 367.12 feet, thence S 61°58'13" E a distance of 172.00 feet, thence S 57°28'13" E a distance of 122.00 feet, thence N 89°57'26" W a distance of 388.94 feet to the point of beginning

Tract 2: A tract of land located in a portion of the NW/4 of the SE/4 of Section 13, Township 32 South, Range 15 East of the 6th P.M., Montgomery County, Kansas, being more particularly described as follows: Commencing at the Northeast corner of the NW/4 of the SE/4, thence S 00°14'54" E. along the East line of the NW/4 of the SE/4, a distance of 43.22 feet to the point of beginning; thence continuing S 00°14'54" E. along said East line a distance of 470.00 feet, thence S 89°55'26" W, a distance of 50.13 feet; thence N. 23°33'03" W, a distance of 251.00 feet; thence N 03°27'03" W a distance of 150.00 feet; thence N 60°10'27" E, a distance of 181.44 feet to the point of beginning

Section 3. This Ordinance shall take effect upon its publication in the official city newspaper.

Adopted by the governing body of the City of Independence, Kansas on the 8th day of August, 2024.

Timothy R. Emert, Mayor

ATTEST:

David Schwenker, City Clerk



REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
July 25, 2024

Department Admin

Director Approval David Cowan

AGENDA ITEM Consider revising the ordinance to include an additional parcel as part of a previously approved request from Trevor and Miranda Bruening to annex their property located on CR 3775, previously known as the 3100 block of North 13th Street.

SUMMARY RECOMMENDATION City Staff recommends the Commission approve Resolution 2024-018, amending Resolution 2024-016.

BACKGROUND On June 27, 2024 the City Commission previously approved Resolution 2024-016 to petition Montgomery County to allow the annexation of this property. Upon review by Montgomery County, it was discovered we were missing a parcel. The City Attorney has prepared a new petition including both parcels. The staff is asking the Commission to approve Resolution 2024-018, amending Resolution 2024-016.

The staff has provided the following background from the previous request for the annexation of this property for the Commission's review:

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.

FINANCIAL INFORMATION N/A

SUGGESTED MOTION I move to approve Resolution 2024-018, which amends Resolution 2024-016 to add a parcel to the petition to Montgomery County to allow the annexation of this property into the City limits of Independence, Kansas, as requested by the property owners.

SUPPORTING DOCUMENTS

1. City-Bruening-res-
2. City-Bruening annex-
3. Resolution 2024-016 - Annexation - Bruening
4. Trevor & Miranda - N. 13th Area
5. Consent to Annex - Bruenings

RESOLUTION NO. 2024-018

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

Section 1. This resolution is made to amend Resolution No. 2024-016 to include additional real estate which was inadvertently omitted.

Section 2. Trevor Jay Bruening and Miranda Dawn Bruening have requested and consented to the annexation of the following described real estate by the City of Independence, Kansas:

Tract 1: Being a tract of land located in a portion of the SE/4 of Section 13, Township 32 South, Range 15 East of the 6th P.M., Montgomery County, Kansas, being more particularly described as follows:

Commencing at the Southwest corner of the NE/4 of the SE/4 of said Section 13, thence N 00°10'54" W along the West line of said NE/4 of the SE/4 a distance of 809.30 to the point of beginning, thence N 00°10'54" W along said West line a distance of 513.22 feet to a point on the North line of said SE/4, thence S 89°49'34" E along said North line a distance of 155.28 feet, thence S 03°01'47" W a distance of 367.12 feet, thence S 61°58'13" E a distance of 172.00 feet, thence S 57°28'13" E a distance of 122.00 feet, thence N 89°57'26" W a distance of 388.94 feet to the point of beginning

Tract 2: A tract of land located in a portion of the NW/4 of the SE/4 of Section 13, Township 32 South, Range 15 East of the 6th P.M., Montgomery County, Kansas, being more particularly described as follows: Commencing at the Northeast corner of the NW/4 of the SE/4, thence S 00°14'54" E. along the East line of the NW/4 of the SE/4, a distance of 43.22 feet to the point of beginning; thence continuing S 00°14'54" E. along said East line a distance of 470.00 feet, thence S 89°55'26" W, a distance of 50.13 feet; thence N. 23°33'03" W, a distance of 251.00 feet; thence N 03°27'03" W a distance of 150.00 feet; thence N 60°10'27" E, a distance of 181.44 feet to the point of beginning

Section 3. The Bruening property is not adjacent to the current city boundaries of the City of Independence, Kansas and is considered noncontiguous land which requires the consent of the Board of County Commissioners of Montgomery County, Kansas before annexation can occur.

Section 4. Pursuant to K.S.A. 12-520c, the City of Independence requests that the Board of County Commissioners find and determine that the annexation of the Bruening property will not hinder or prevent the proper growth and development of the area or that of any other incorporated city, and that the annexation be approved.

Section 5. In support of the request for annexation, the following information is provided:

- a. The property is currently vacant and unimproved.
- b. The property owners intend to construct their personal residence on the property.
- c. The property owners are connecting to City water at their own expense and intend to install a septic system at their own expense.
- d. The property is bounded on the north by the Elk River, on the west by the Independence Country Club golf course, on the east by an unimproved area and on the south by a residence.
- e. The property is located on a dead-end road.

Section 6. The City Clerk is directed to file a certified copy of this resolution with the Montgomery County Clerk.

Adopted by the Governing Body of the City of Independence, Kansas, on the 25th day of July, 2024.

Timothy R. Emert, Mayor

ATTEST:

DAVID W. SCHWENKER, City Clerk

AMENDED CONSENT TO ANNEXATION

Come Now, Trevor Jay Bruening and Miranda Dawn Bruening, husband and wife, and hereby consent to annexation of the following described real estate owned by them by the City of Independence, Kansas:

Tract 1: Being a tract of land located in a portion of the SE/4 of Section 13, Township 32 South, Range 15 East of the 6th P.M., Montgomery County, Kansas, being more particularly described as follows:

Commencing at the Southwest corner of the NE/4 of the SE/4 of said Section 13, thence N 00°10'54" W along the West line of said NE/4 of the SE/4 a distance of 809.30 to the point of beginning, thence N 00°10'54" W along said West line a distance of 513.22 feet to a point on the North line of said SE/4, thence S 89°49'34" E along said North line a distance of 155.28 feet, thence S 03°01'47" W a distance of 367.12 feet, thence S 61°58'13" E a distance of 172.00 feet, thence S 57°28'13" E a distance of 122.00 feet, thence N 89°57'26" W a distance of 388.94 feet to the point of beginning

Tract 2: A tract of land located in a portion of the NW/4 of the SE/4 of Section 13, Township 32 South, Range 15 East of the 6th P.M., Montgomery County, Kansas, being more particularly described as follows: Commencing at the Northeast corner of the NW/4 of the SE/4, thence S 00°14'54" E. along the East line of the NW/4 of the SE/4, a distance of 43.22 feet to the point of beginning; thence continuing S 00°14'54" E. along said East line a distance of 470.00 feet, thence S 89°55'26" W, a distance of 50.13 feet; thence N. 23°33'03" W, a distance of 251.00 feet; thence N 03°27'03" W a distance of 150.00 feet; thence N 60°10'27" E, a distance of 181.44 feet to the point of beginning

DATE

Trevor Jay Bruening

DATE

Miranda Dawn Bruening

STATE OF KANSAS)
) SS:
COUNTY OF _____)

Be It Remembered that on this ____ day of _____, 2024, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came **Trevor Jay Bruening and Miranda Dawn Bruening**, husband and wife, who are personally known to me to be the same persons who executed the within instrument of writing and such persons 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.

My commission expires:

NOTARY PUBLIC



State of Kansas, Montgomery County
This instrument was filed for
Record on June 28, 2024 10:39 AM
Recorded in Book 737 Page 738 - 739
Fee: \$0.00 202402410



Marilyn Calhoun
Marilyn Calhoun, Register of Deeds

RESOLUTION NO. 2024-016

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

Section 1. Trevor Jay Bruening and Miranda Dawn Bruening have requested and consented to the annexation of the following described real estate by the City of Independence, Kansas:

Being a tract of land located in a portion of the SE/4 of Section 13, Township 32 South, Range 15 East of the 6th P.M., Montgomery County, Kansas, being more particularly described as follows:

Commencing at the Southwest corner of the NE/4 of the SE/4 of said Section 13, thence N 00°10'54" W along the West line of said NE/4 of the SE/4 a distance of 809.30 to the point of beginning, thence N 00°10'54" W along said West line a distance of 513.22 feet to a point on the North line of said SE/4, thence S 89°49'34" E along said North line a distance of 155.28 feet, thence S 03°01'47" W a distance of 367.12 feet, thence S 61°58'13" E a distance of 172.00 feet, thence S 57°28'13" E a distance of 122.00 feet, thence N 89°57'26" W a distance of 388.94 feet to the point of beginning

Section 2. The Bruening property is not adjacent to the current city boundaries of the City of Independence, Kansas and is considered noncontiguous land which requires the consent of the Board of County Commissioners of Montgomery County, Kansas before annexation can occur.

Section 3. Pursuant to K.S.A. 12-520c, the City of Independence requests that the Board of County Commissioners find and determine that the annexation of the Bruening property will not hinder or prevent the proper growth and development of the area or that of any other incorporated city, and that the annexation be approved.

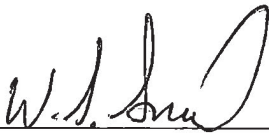
Section 4. In support of the request for annexation, the following information is provided:

- a. The property is currently vacant and unimproved.
- b. The property owners intend to construct their personal residence on the property.
- c. The property owners are connecting to City water at their own expense and intend to install a septic system at their own expense.
- d. The property is bounded on the north by the Elk River, on the west by the Independence Country Club golf course, on the east by an unimproved area and on the south by a residence.
- e. The property is located on a dead-end road.

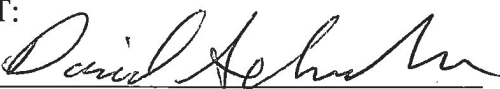
Section 5. The City Clerk is directed to file a certified copy of this resolution with the Montgomery County Clerk.

Adopted by the Governing Body of the City of Independence, Kansas, on the 27th day of June 2024.




W. S. Smith, Vice-Mayor

ATTEST:


DAVID W. SCHWENKER, City Clerk



AMENDED CONSENT TO ANNEXATION

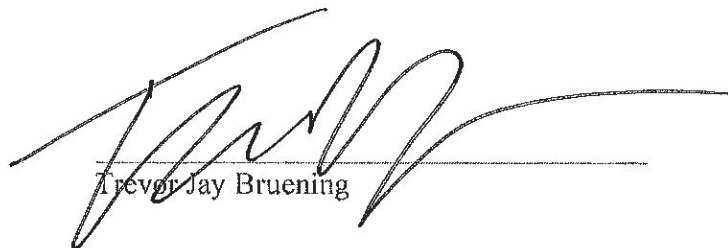
Come Now, Trevor Jay Bruening and Miranda Dawn Bruening, husband and wife, and hereby consent to annexation of the following described real estate owned by them by the City of Independence, Kansas:

Tract 1: Being a tract of land located in a portion of the SE/4 of Section 13, Township 32 South, Range 15 East of the 6th P.M., Montgomery County, Kansas, being more particularly described as follows:

Commencing at the Southwest corner of the NE/4 of the SE/4 of said Section 13, thence N 00°10'54" W along the West line of said NE/4 of the SE/4 a distance of 809.30 to the point of beginning, thence N 00°10'54" W along said West line a distance of 513.22 feet to a point on the North line of said SE/4, thence S 89°49'34" E along said North line a distance of 155.28 feet, thence S 03°01'47" W a distance of 367.12 feet, thence S 61°58'13" E a distance of 172.00 feet, thence S 57°28'13" E a distance of 122.00 feet, thence N 89°57'26" W a distance of 388.94 feet to the point of beginning

Tract 2: A tract of land located in a portion of the NW/4 of the SE/4 of Section 13, Township 32 South, Range 15 East of the 6th P.M., Montgomery County, Kansas, being more particularly described as follows: Commencing at the Northeast corner of the NW/4 of the SE/4, thence S 00°14'54" E. along the East line of the NW/4 of the SE/4, a distance of 43.22 feet to the point of beginning; thence continuing S 00°14'54" E. along said East line a distance of 470.00 feet, thence S 89°55'26" W, a distance of 50.13 feet; thence N. 23°33'03" W, a distance of 251.00 feet; thence N 03°27'03" W a distance of 150.00 feet; thence N 60°10'27" E, a distance of 181.44 feet to the point of beginning

7.17.24
DATE


Trevor Jay Bruening

7.16.24
DATE


Miranda Dawn Bruening



REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
August 8, 2024

Department Admin

Director Approval Kelly Passauer

AGENDA ITEM Consider initiating a public hearing before the Planning Commission to consider a text amendment regarding conditional use permits for upper-story dwellings in the C-3 district.

SUMMARY RECOMMENDATION Initiate a public hearing before the Planning Commission.

BACKGROUND To encourage the development of upper-story housing in the C-3 Central Business District, on May 12, 2022, the City Commission approved the Planning Commission's recommendation for a two-year moratorium on the enforcement of the zoning code relating to the requirement for a conditional use permit for dwellings in a nonresidential structure that are defined as "Upper-Story Dwellings." This moratorium expired on May 17, 2024.

The original intent was for the Planning Commission to consider a permanent text amendment after the moratorium expired. The City is currently in the process of a zoning code update. However, we currently have "Upper-Story Dwelling" projects in process. In order not to delay these projects, it is recommended that the moratorium be extended until the zoning code update is completed.

FINANCIAL INFORMATION N/A

SUGGESTED MOTION I move to initiate a public hearing before the Planning Commission for a text amendment regarding conditional use permits for upper-story dwellings in the C-3 district.

SUPPORTING DOCUMENTS

1. Public Hearing Notice ZA08 Text Amendment
2. 4388 - Defining an Upper Story Dwelling
3. 4389 - Moratorium Against Enforcement of CUP for Upper Story Dwelling
4. Affidavit of Publication - 4389 - Moratorium on CUP for Upper Story Dwelling

City of Independence, Kansas

NOTICE TO THE PUBLIC

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

Tuesday, September 3, 2024, at 5:30 p.m.

To receive comments to consider a text amendment to the zoning code relating to dwellings in the C-3, Central Business District.

Case Number:

2024/ZA/08

The hearing will be conducted in the Commission/Municipal Court Room, City Hall, 120 North 5th Street, Independence, Kansas, and will begin at 5:30 p.m. All interested persons should attend, and they will be heard. You may also participate via conference call: [+1 785-289-4727](tel:+17852894727) Conference ID: 820 754 218#

Persons wishing to comment, but who cannot attend this hearing, should provide their written comments to:

Kelly Passauer
Zoning Administrator
120 North 6th Street
Independence, KS 67301
(620) 332-2506

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

Kelly Passauer, Zoning Administrator



State of Kansas, Montgomery County
This instrument was filed for
Record on May 13, 2022 10:33 AM
Recorded in Book 715 Page 196 - 196
Fee: \$0.00 202201754



Marilyn Calhoun
Marilyn Calhoun, Register of Deeds

ORDINANCE NO. 4388

An Ordinance Defining an Upper Story Dwelling

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

Section 1. Article 4 of Appendix B of the Zoning Code is amended to add a definition of the term “upper story dwelling” as follows:

Upper Story Dwelling: A dwelling unit located on the second floor story and above, but not including the ground floor or basement of any structure.

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

Adopted by the Governing Body of the City of Independence, Kansas, on the 12th day of May, 2022.



ATTEST:

Dean A. Hayse
DEAN A. HAYSE, Mayor

David W. Schwenker
DAVID W. SCHWENKER, City Clerk



State of Kansas, Montgomery County
This instrument was filed for
Record on May 13, 2022 10:34 AM
Recorded in Book 715 Page 197 - 198
Fee: \$0.00 202201755



Marilyn Calhoun

Marilyn Calhoun, Register of Deeds

ORDINANCE NO. 4389

An Ordinance Establishing a Moratorium Against the Enforcement of a Portion of the Zoning Code

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

Section 1. A moratorium is hereby imposed on the enforcement of Appendix A of the Zoning Code which lists the permitted and conditional uses of each zoning district as to the requirement of a conditional use permit for any “Dwelling, in nonresidential structure” that meets the definition of an “Upper Story Dwelling” located in the C-3, Central Business District and as defined in Article 4 of Appendix B of the Zoning Code.

Section 2. The moratorium imposed by this ordinance shall expire twenty-four (24) months from its effective date.

Section 3. This Ordinance shall take effect upon its publication in the official City newspaper.

Adopted by the Governing Body of the City of Independence, Kansas, on the 12th day of May, 2022.



Dean A. Hayse
DEAN A. HAYSE, Mayor

ORDINANCE NO. 4389

**An Ordinance Establishing a Moratorium Against the
Enforcement of a Portion of the Zoning Code**

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

Section 1. A moratorium is hereby imposed on the enforcement of Appendix A of the Zoning Code which lists the permitted and conditional uses of each zoning district as to the requirement of a conditional use permit for any “Dwelling, in nonresidential structure” that meets the definition of an “Upper Story Dwelling” located in the C-3, Central Business District and as defined in Article 4 of Appendix B of the Zoning Code.

Section 2. The moratorium imposed by this ordinance shall expire twenty-four (24) months from its effective date.

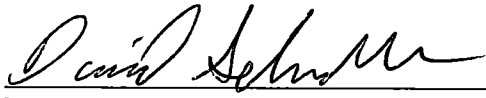
Section 3. This Ordinance shall take effect upon its publication in the official City newspaper.

Adopted by the Governing Body of the City of Independence, Kansas, on the 12th day of May, 2022.




DEAN A. HAYSE, Mayor

ATTEST:

A handwritten signature in cursive script, appearing to read "David W. Schwenker", written in black ink.

DAVID W. SCHWENKER, City Clerk

Affidavit of Publication

STATE OF KANSAS

Montgomery County, ss:

Josh Umholtz being first duly sworn, deposes and says: That he is the **Publisher** of the

Independence Daily Reporter

a daily newspaper printed in the state of Kansas, and published in and of general circulation in Montgomery County, Kansas, with a general paid circulation on a daily basis in Montgomery County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is published daily at least weekly 50 times a year, has been published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of Independence in said County as second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said Newspaper **1 time(s) on May 17, 2022**

Subscribed to and sworn before me on this **17th day of May 2022.**

Printer's fee: **\$25.28**


Notary Public

My commission expires **August 23, 2025**



TRACY D. HARDER

Notary Public - State of Kansas

My Appt. Expires

(First published in the Independence Daily Reporter May 17, 2022)

ORDINANCE NO. 4389

An Ordinance Establishing a Moratorium Against the Enforcement of a Portion of the Zoning Code

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

Section 1. A moratorium is hereby imposed on the enforcement of Appendix A of the Zoning Code which lists the permitted and conditional uses of each zoning district as to the requirement of a conditional use permit for any "Dwelling, in nonresidential structure" that meets the definition of an "Upper Story Dwelling" located in the C-3, Central Business District and as defined in Article 4 of Appendix B of the Zoning Code.

Section 2. The moratorium imposed by this ordinance shall expire twenty-four (24) months from its effective date.

Section 3. This Ordinance shall take effect upon its publication in the official City newspaper.

Adopted by the Governing Body of the City of Independence, Kansas, on the 12th day of May, 2022.

DEAN A. HAYSE, Mayor

ATTEST:
DAVID W. SCHWENKER,
City Clerk
May 17, 2022



REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
August 8, 2024

Department Admin

Director Approval Kelly Passauer

AGENDA ITEM Consider setting a public hearing for September 12, 2024 at 5:30 PM for the purpose of vacating an alley and a portion of Railroad Street in or adjacent to Block C, Dean's Addition.

SUMMARY RECOMMENDATION Set the public hearing for September 12, 2024, at 5:30 p.m. to consider the vacation requests.

BACKGROUND Jon Viets, owner of the property at 1000-1018 W Sycamore, is selling this property to MFG. During a title search, issues were identified related to old street and alley vacations carried out by the City many years ago. Mr. Viets has requested the City take action to vacate the remaining portions of an alley and a street, and approve a quit claim deed to clear up a title issue.

The requests include:

1. Vacating the East 64 feet of the alley located in Block C, Dean's Addition.
2. Vacating the portion of Railroad Street adjacent to Block C, Dean's Addition.
3. Approval of a quit claim deed to address an additional title issue.

The City Attorney has reviewed the title background, deeds, maps, and other relevant documents provided by Mr. Viets. Additionally, a proposed ordinance and a Notice of Hearing have been prepared to facilitate the vacating process.

FINANCIAL INFORMATION N/A

SUGGESTED MOTION I move to set a public hearing for September 12, 2024, at 5:30 PM to vacate an alley and a portion of Railroad Street in or adjacent to Block C, Dean's Addition.

SUPPORTING DOCUMENTS

1. City-VICO-NOH-
2. City-VICO-ordinance-
3. City-VICO request-
4. City-VICO deed-

NOTICE OF HEARING

You are hereby notified that the Governing Body of the City of Independence, Kansas, will conduct a public hearing at 5:30 p.m. on 12th day of September, 2024 for the purpose of determining whether the following should be vacated:

a. The East 64 feet of the alley described as follows:

Commencing at a point 14 feet West of the SW corner of Lot 3, Block C, Deans Addition to the City of Independence, Montgomery County, Kansas, thence East 64 feet to the East line of Block C, Deans Addition, thence South 14 feet, thence West 64 feet, thence North 14 feet to place of beginning

b. That portion of Railroad Street described as follows:

Railroad Street beginning at a point 14 feet West of the West line of Lot 3, Block C, Deans Addition, thence West to the West line of Lot 3, Block C, Deans Addition

David W. Schwenker, City Clerk

ORDINANCE NO. _____

**AN ORDINANCE VACATING THE REMAINING PORTION OF AN ALLEY
IN BLOCK C, DEANS ADDITION AND VACATING
THE REMAINING PORTION OF RAILROAD STREET ADJACENT TO BLOCK C,
DEANS 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 street and the same are hereby both vacated:

a. The East 64 feet of the alley described as follows:

Commencing at a point 14 feet West of the SW corner of Lot 3, Block C, Deans Addition to the City of Independence, Montgomery County, Kansas, thence East 64 feet to the East line of Block C, Deans Addition, thence South 14 feet, thence West 64 feet, thence North 14 feet to place of beginning

b. That portion of Railroad Street described as follows:

Railroad Street beginning at a point 14 feet West of the West line of Lot 3, Block C, Deans Addition, thence West to the West line of Lot 3, Block C, Deans Addition

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

Section 3. The City of Independence hereby retains and reserves an easement for all utilities in the vacated alley and street 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 12th day of September, 2024.

Timothy R. Emert, Mayor

ATTEST:

David Schwenker, City Clerk

Fw: MFG

jon viets [REDACTED]

Fri 8/2/2024 3:28 PM

To: jeff chubb [REDACTED]

Cc: Coxon Jeffrey [REDACTED]

📎 8 attachments (4 MB)

DOC080224-080224-008.pdf; DOC080224-080224-007.pdf; DOC080224-080224-006.pdf; DOC080224-080224-005.pdf; DOC080224-080224-001.tif; DOC080224-080224.tif; DOC080224-080224-004.pdf; DOC080224-080224-003.pdf;

Jeff

My company, Vico Group, LTD owns 2 adjacent buildings at 1000-1018 W Sycamore which have been leased to MFG Water & Construction Products for about 25 years.

The buildings are about 75 years old and much in need of new roofs and other upgrades to accommodate MFG's continuing operations. Presently,

I have agreed to sell the buildings and MFG has agreed to buy so that it can proceed with the improvements needed.

Jeff Coxon, Ashtabula, OH, is general counsel for MFG and is copied on this email.

After title search, survey, and some further digging we have encountered some problems which need to be addressed and need the help of the City of Independence.

Attached to this email are the following:

#1 Original Plat of Dean's Addition, and the buildings in question are located in Block "C", between Sycamore and Railroad Street.

#2 Because the resolution of item #1 is poor, attached is the plat of Holman's Addition, which depicts Dean's Addition with better resolution.

The buildings are located on Lots 1-6 and 9-14 of Block "C". As you can see, the block was once bisected by an East-West alleyway.

#3 A 1920 Ordinance by which the City vacated the West 172 feet of the bisecting alleyway (and it turns out the remaining East 64 feet of that alley has not been vacated)

#4 A 1921 deed to the City of a 14' strip along the East side of Lot 4, running from the old East-West alleyway North to Railroad Street

#5 A 1923 Ordinance appearing to vacate the alleyway created by the deed described in #4 (but since it was a deeded strip of land there is some question whether an ordinance vacating extinguished the deed)

#6 A 1953 Ordinance vacating 17th Street from Sycamore Street North to Railroad Street, and also vacating Railroad Street to a point 14 feet West of the West line of Lot 3, Block "C".

Vacating the Streets allowed the buildings to be built, but left Railroad Street in existence along the north edge of Lots 1-3 plus the east 14 feet of Lot 4.

#7 A current survey of the property. You will see that it depicts the unvacated 64 feet of the platted East-West alleyway. It does not depict the North-South alleyway created by the the 1921 deed, as the title company assumed it to have been vacated. (When you look at this you will see the buildings actually extend north of the north line of vacated Railroad Street and, in case you should wonder, we hold land leases from SKOL for the land occupied by that portion of the buildings)

#8 Aerial map from the County GIS Mapping Department, depicting the North-South alley, but not the east 64' of the originally platted East-West alleyway.

As you will see from the aerial photo (and the survey) a couple of semi permanent facilities have over time been erected upon the unvacated portion of Railroad Street.

So, what is requested of the City is the following:

- A. That the east 64 feet of the originally platted East-West alley be vacated
- B. That the North-South alleyway created by the 1921 deed be more effectively vacated by quit claim deed
- C. That the remainder of Railroad Street along the North side of Block "C" be vacated.

Sorry for a Friday afternoon headache! After you have had a chance to digest this, please let me know how we can proceed,

Thanks!

Jon

Jon R Viets
Vico Group, LTD
201 N Penn Ave, Suite 604
P.O. Box 1176
Independence, Ks 67301
620-331-0144 (office)
620-331-1808 (fax)
[REDACTED]

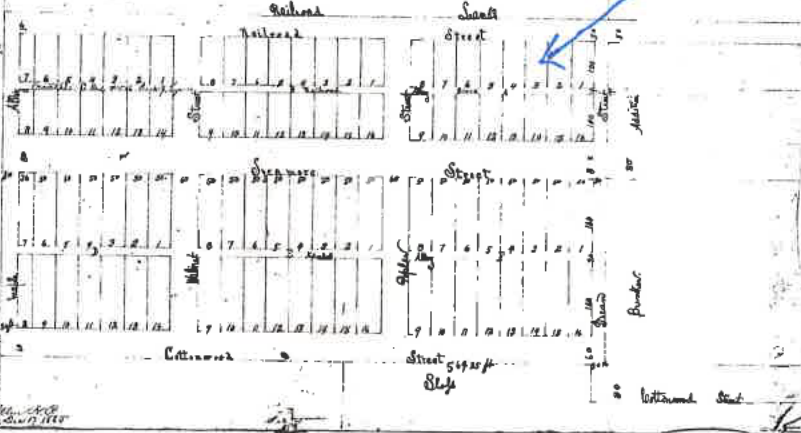
From: Michelle Gustin [REDACTED]
Sent: Friday, August 2, 2024 2:22 PM
To: Jon Viets [REDACTED]
Subject: MFG

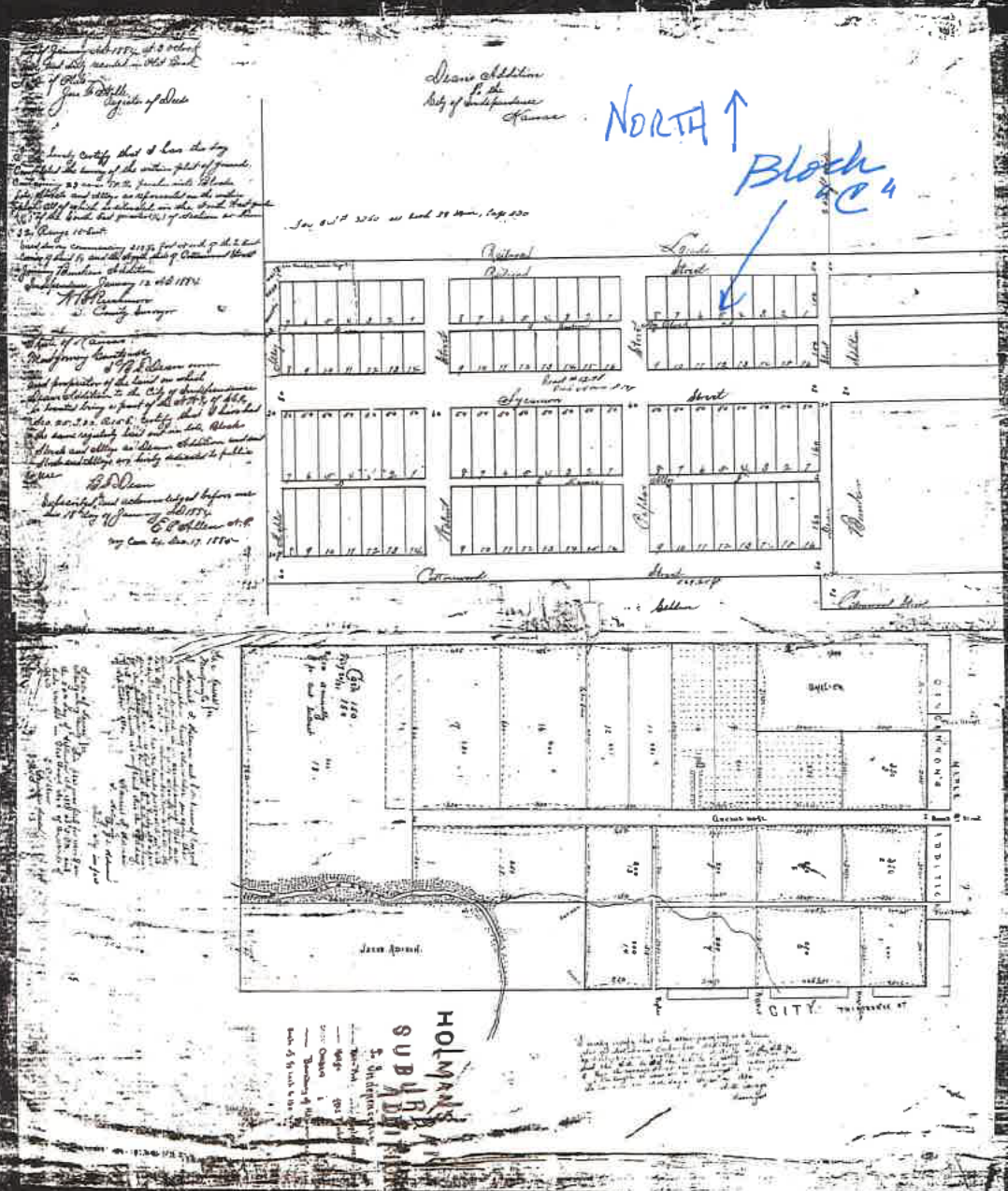
R.

Block "C"

Dean's Edition
to the
City of Indianapolis
Indiana

*This title of Revenue Surveying May 22.
This plot was taken for Revenue this 1879
Survey of January 2nd 1876 vol. 2 which
P.M. were duly recorded in 18th Decr
No. 2 of State -*

[illegible]



TRANSFERRER
HOLMAN'S SUBDIVISION
DEAN'S ADD.
1-18

Y-226

AFFIDAVIT

STATE OF KANSAS)
MONTGOMERY COUNTY) SS

Ernest Sewell, being first duly sworn upon his oath deposes and states that he is a resident of Independence, Montgomery County, Kansas, and has been for many years; that he is President of the Citizens National Bank of Independence, Kansas; that he was well and truly acquainted with Samuel Parkhurst who, on March 17, 1927, purchased at sheriff's sale, the following described real estate, to-wit:

The southeast quarter (SE $\frac{1}{4}$) of the northwest quarter (NW $\frac{1}{4}$) of Section thirty (30), Township thirty-two (32), south of range fifteen (15), east of the 6th P.M. Montgomery County, Kansas,

and was well and truly acquainted with R. S. Parkhurst, grantee in a sheriff's deed dated April 2, 1927, and recorded in Book "A" Deeds, page 614, in the Office of the Register of Deeds of Montgomery County, Kansas, in which said grantee was conveyed the above described property; that this affiant knows said Samuel Parkhurst and purchaser at said sheriff's sale and R. S. Parkhurst, grantee in said sheriff's deed, are one and the same person.

Affiant further states that he was acquainted with Lucretia Parkhurst, named as one of the grantors in a quit claim deed dated April 30, 1928, and recorded in Book "C" Deeds, page 220, in the Office of the Register of Deeds of Montgomery County, Kansas, and knows that Lucretia Parkhurst was on said date, the wife of R. S. Parkhurst.

Affiant further states that he was well and truly acquainted with Tom Z. Swalley, George D. Swalley, Benjamin Swalley, Nathan H. Swalley, and Arletta Patridge, who were named as devisees in the last will and testament of David Swalley, deceased, and knows that they were the same and identical persons respectively, as Thomas Z. Swalley, G. D. Swalley, B. K. Swalley, N. H. Swalley, and Arletta Patridge, named as grantors in a certain Special Warranty Deed dated August 3, 1922, and recorded in Book 113 of Deeds on page 102 in the Office of the Register of Deeds of Montgomery County, Kansas, in which said deed the north half (N $\frac{1}{2}$) of the southwest quarter (SW $\frac{1}{4}$) and the south half (S $\frac{1}{2}$) of the northwest quarter (NW $\frac{1}{4}$) of Section thirty (30), township thirty-two (32), range fifteen (15), was conveyed to L. J. Patridge.

Ernest Sewell

Subscribed and sworn to before on this 6 day of November, 1947.

My Commission Expires Nov. 30, 1947 (L) D. W. Sanford, Notary Public

Recorded Nov. 6, 1947 at 3:30 PM

ATTEST: Thelma McMurtry, Register of Deeds

First Published 1966
CORRECTION NO.

Exception 10

AN ORDINANCE vacating the West 172 feet of the alley in Block C, Deans Addition, to the City of Independence, Kansas.

WHEREAS, a strip of ground has been deeded to the City, along the East side of Lot B, Block C, Deans Addition, for alley purposes, as an outlet to Railroad Street, therefore

BE IT ORDAINED BY THE BOARD OF CHIEF CLERKS OF THE CITY OF INDEPENDENCE, KANSAS Section 1, That the West 172 feet, of the alley in Block C, Deans Addition, described as follows, to-wit:

Commencing at a point 14 feet West of the Southwest corner of Lot B, Block C, Deans Addition, to the City of Independence, Kansas, thence West 172 feet, to the West line of Block C, Deans Addition, thence South 14 feet, thence East 172 feet, thence North 14 feet to the place of beginning.

be and the same is hereby vacated.

Section 2. This ordinance shall take effect and be in force after ten days from its final passage.

Passed and approved this 24th day of June, 1920.

ATTEST: G. H. Eriehagen, City Clerk (JAL)

John L. Wadman, Mayor.

Recorded Nov. 6, 1947 at 10:00 AM

ATTEST: Thelma McMurtry, Register of Deeds

DEED RECORD

141-68

This Indenture, Made this

13th

day of

May

A. D. 1921

between

J. J. Baker and Alma Baker
his wifeCity of Independence,
Kansas

of the second part,

WITNESSETH, That the said part 1st of the first part, for and in consideration of the sum of

One Dollar and Exchange of lands

lawful money of the United States of America unto them well and truly paid by the said part 2^d of the second part, at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, they by these presents grant, bargain, sell and convey unto the said part 1st of the second part, its heirs and assigns, all the following described real estate, situated in the County of Montgomery and State of Kansas, to-wit:The East Fourteen (14) feet of Lot Four (4),
Block "C", Dean's Addition to the City of Independence,
according to the record plat thereof;

TO HAVE AND TO HOLD THE SAME, Together with all and singular the tenements, hereditaments and appurtenances therunto belonging, or in anywise appertaining, forever.

And said J. J. Baker and Alma Baker for themselves, their heirs, executors or administrators, do hereby covenant, promise and agree, to and with said part 2^d of the second part, that at the delivery of these presents they are lawfully seized in their own right of an absolute and indefeasible estate of inheritance, in fee simple, of and in all and singular the above granted and described premises, with the appurtenances; that the same are free, clear and discharged of and from all other grants, titles, estates, judgments, taxes, assessments and incumbrances, of every kind or nature;and that they will warrant and defend the same unto said part 2^d of the second part, its heirs and assigns, against said party of the first part, their heirs, and all and every person or persons whomsoever, lawfully claiming or to claim the same.IN WITNESS WHEREOF, The said part 1st of the first part, have hereunto subscribed their names and affixed their seals on the day and year first above written.

Executed and Delivered in presence of

J. J. Baker (Seal)
Alma Baker (Seal)
(Seal)
(Seal)

Acknowledgement No. 1

STATE OF Kansas COUNTY OF Montgomery ss. nineteen hundred & twenty
BE IT REMEMBERED, That on this 13th day of May, A. D. 1921, before me, the undersigned, a

Notary Public in and for the County and State, came

J. J. Baker and Alma Baker

(L.S.)

who are personally known to me to be the identical persons described in, and who executed the foregoing deed, and duly acknowledged to me that they executed the same as their free and voluntary act and deed, for the uses and purposes therein set forth.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year last above written.

My commission expires Jan. 27 1921

C. J. Bayport Notary Public.

Acknowledgement No. 2

STATE OF Kansas COUNTY OF Montgomery ss.
BE IT REMEMBERED, That on this day of A. D. 1921, before me, the undersigned, a Notary Public in and for said County and State, came

who personally known to me to be the identical person described in, and who executed the foregoing deed, and duly acknowledged to me that they executed the same as their free and voluntary act and deed, for the uses and purposes therein set forth.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year last above written.

My commission expires 1921

Notary Public.

The original instrument, of which the above is a true and correct copy, was filed for record in the office of the Register of Deeds on the 23rd day of August, A. D. 1921, at 11:30 o'clock A. M., and duly recorded.

By J. J. Baker and Alma Baker Deputy, R. C. Horner Register of Deeds

V-478

478

AFFIDAVIT

STATE OF KANSAS
MONTGOMERY COUNTY SS:

John H. Nelson and Ethel Perry being first duly sworn depose and say:

That Lyman Nelson and Delpha Nelson were their natural father and mother; that said Lyman Nelson was the same party to whom J. B. Lienemann and K. Lienemann, his wife deeded the E $\frac{1}{2}$ of Lot Two and the S $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Sec. 15 Twp. 35, Range 15 Montgomery County, Kansas except a strip of land 6 rods wide off the east side of said land, which deed was dated March 29, 1917; that Delpha Nelson died Sept. 13, 1928 without leaving a will and at the time of her death her only living heirs were her husband Lyman Nelson, and the affiants herein, John H. Nelson and Ethel Perry who were her son and daughter.

Affiants further say that the said Lyman Nelson died February 5, 1933 without leaving a will and at the time of his death the affiants herein, John H. Nelson and Ethel Perry, were his son and daughter and were and are the sole and only heirs of the said Lyman Nelson. Affiants further state that no administration was ever made of the estates of the said Delpha Nelson or Lyman Nelson and that said parties left no debts owing by them and that all debts for last sickness and funeral expenses and all debts or claims against said estate if any have been paid in full.

Affiants further say that they know of their own knowledge that no oil and gas wells were ever drilled on the above described premises nor any prospecting or use ever was made of said premises for oil or gas and that they know of their own knowledge that the oil and gas lease given by S. H. Brown et al on said premises to A. T. Stickleber dated June 15, 1908 was never complied with by the terms thereof by the said A. T. Stickleber and that said lease is null and void.

Affiants further say that the oil and gas lease executed by Lyman Nelson and Delpha Nelson dated February 20, 1919, to C. C. Dial is null and void in that the said C. C. Dial never drilled any wells on said premises as required therein and has failed and refused to keep up the payments and does not now claim any interest therein.

John H. Nelson
Ethel Perry

Subscribed and sworn to before me this 27 day of August 1942,

C. A. Reed,
Notary Public

My commission expires September 14th, 1944.

(LS)

Recorded August 28, 1942 at 1:30 P. M. ATTEST: Virgil E. Davis, Register of Deeds.

First Published May 26, 1923.

ORDINANCE NO. 1306

Exception 9

AN ORDINANCE vacating a portion of the alley in Block C, Dean's Addition, hereinafter more particularly described.

WHEREAS, a petition by the property owners in Block C, Dean's Addition, has been presented to the Board of Commissioners, praying that a portion of said alley be vacated, therefore

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF INDEPENDENCE, KANSAS

Section 1. That all that portion of the alley in Block C, Dean's Addition, described as follows, to wit: Commencing at the southwest corner of Lot 3, Block C, Dean's Addition, thence west fourteen (14) feet, thence north one hundred (100) feet, thence east fourteen (14) feet, thence south one hundred (100) feet to the place of beginning, be and the same is hereby vacated.

Section 2. That the alley so vacated shall revert to and become a part of the lots or pieces of ground abutting on said alley as by law provided.

Section 3. This ordinance shall take effect and be in force after ten days from its final passage.

Passed and approved this 24th day of May, A.D. 1923.

J. G. Fowler,
Mayor.

ATTEST:
G. H. Kriehagen
City Clerk.

(LS)

Recorded August 29, 1942 at 3:00 P. M. ATTEST: Virgil E. Davis, Register of Deeds.

REVOCAATION
NATIONAL SURETY CORPORATION
NEW YORK
REVOCATION OF POWER OF ATTORNEY

3/93

KNOW ALL MEN BY THESE PRESENTS, that National Surety Corporation, a Corporation organized under the laws of the State of New York and having its principal office in the City of New York, does hereby cancel and revoke the power(s) of Attorney issued by it under the date (s) of 12-9-42, wherein and whereby it did make, constitute and appoint JAMES D. GILMORE of Independence, State of Kansas, its true and lawful attorney-in-fact for the execution of Various Bonds.

IN WITNESS WHEREOF, NATIONAL SURETY CORPORATION has caused these presents to be executed by its duly authorized officers, and its corporate seal to be hereunto affixed this 6th day of May, 1953.

NATIONAL SURETY CORPORATION

By S. G. Drake,
Vice President

ATTEST: A. N. MacDougall,
Assistant Secretary

CORP SEAL

STATE OF NEW YORK)
COUNTY OF NEW YORK) ss:

On this 6th day of May, 1953, before me, personally came S. G. Drake, and A. N. MacDougall, to me personally known, who, being by me duly sworn, did severally depose and say that they reside in the cities of New York, N. Y. and Yonkers, N. Y. and that they are respectively Vice-President and Assistant Secretary of National Surety Corporation, the corporation which executed the foregoing instrument; that the seal affixed to said instrument is the seal of said corporation; that it was so affixed by order of the Board of Directors of the said corporation and that they signed their names to the said instrument by like order.

Elizabeth C. King,
Notary Public, State of New York.

My Term Expires March 30, 1955.

(LS)

Recorded the 23rd day of May, 1953 at 8:30 A. M.

ATTEST: Thelma McMurtry,
Register of Deeds

First Published in the Independence Daily Reporter, April 23, 1952

ORDINANCE NO. 2636

AN ORDINANCE VACATING ANY CLAIM OF THE CITY OF INDEPENDENCE TO A PORTION OF FOURTEENTH STREET.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF INDEPENDENCE, KANSAS

Section 1. That any claim which the City of Independence has or may have to that portion of 14th Street described as follows:

Beginning at the intersection of the Southline of Cottonwood Street and the East line of Fourteenth Street, thence West 10 feet, thence South 140 1/2 feet to the North line of the alley, thence East 10 feet to the East line of Fourteenth Street, thence North along the East line of Fourteenth Street 140 1/2 feet to place of beginning

should be and the same is hereby vacated and released.

Section 2. This ordinance shall be in force and take effect 10 days from and after its final passage approval and publication in the official city paper.
Passed and approved this 21st day of April, 1952.

Emmett E. Wilson
Mayor

Attest:
G. H. Kriehagen,
City Clerk (SEAL)

Recorded May 13, 1953 at 11:00 A. M.

ATTEST: Thelma McMurtry,
Register of Deeds

First Published in the Independence Daily Reporter Mar 9-1953

ORDINANCE 2676

AN ORDINANCE VACATING A PORTION OF SEVENTEENTH STREET AND A PORTION OF RAILROAD STREET IN THE CITY OF INDEPENDENCE, KANSAS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF INDEPENDENCE, KANSAS

Section 1 - That the following described portion of Seventeenth Street in the City of Independence, Montgomery, County, Kansas, to-wit:

Beginning at the North line of Syamore Street, thence North to the North line of Railroad Street, to-wit:

and the following portion of Railroad Street, to-wit:

Exception # 11

Exempt 11
Cont'd

Beginning at the East line of Seventeenth Street, thence East to a point 14 feet West of the West line of Lot 3, Block C, Dean's Addition.

be and the same is hereby vacated. That part of the streets hereby vacated shall revert to property owners in accordance with the laws of the State of Kansas.

Section 2 - This ordinance shall be in force and take effect ten days from and after its final passage and approval and publication in the official paper.
Passed and approved this 5th day of March, 1953.

Emmett E. Wilson
Mayor

Attest:
G. H. Kriehagen, (SEAL)
City Clerk.

Recorded May 13, 1953 at 11:00 A. M.

ATTEST: Thelma McMurtry,
Register of Deeds

AFFIDAVIT

STATE OF KANSAS)
County of Wilson) SS

Albert Fomik, of lawful age, being first duly sworn, deposes and says:
That he is well acquainted with E. A. Small, who was conveyed by Warranty Deed dated April 3, 1920, the following described property located in Montgomery County, Kansas, to-wit:

Lots 3 and 4 (North 1/2 of the Northwest 1/4) of Section 1,
Township 31 South, Range 15 East,

which Deed is recorded in Book 142 at Page 7 of Deeds in the Register of Deeds office, Montgomery County, Kansas, and knows that Emery A. Small, as the name appears on the Warranty Deed dated November 1, 1944, and recorded in Book 227 at Page 366 in the Register of Deeds office, Montgomery County, Kansas, are one and the same person notwithstanding the discrepancy in the names E. A. Small and Emery A. Small.

And further affiant says not.

Albert Fomik

Subscribed and sworn to before me, a Notary Public, this 15th day of May, 1953.

Clarence C. Cooper,
Notary Public

My commission expires: July 22, 1954.

(LS)

Recorded the 16th day of May, 1953, at 11:00 A. M.

ATTEST: Thelma McMurtry,
Register of Deeds

AFFIDAVIT

State of Kansas, County of Wilson, SS

BE IT KNOWN, that on the 25th day of April, 1953, before me, a Notary Public in and for the County and State aforesaid, residing in the City of Woodstock, in said county, duly commissioned, sworn and by law authorized to administer oaths and affirmations, personally appeared V. E. Sturgeon, who, being by me first duly sworn, states:

1. That he is the owner of the following described lands situated in Montgomery County, Kansas, to-wit:
Lot 4, being the SW 1/4 of the SW 1/4 of Section Nineteen (19), Township Thirty-one (31), Range Sixteen (16) East.

2. That there is now outstanding and recorded in the abstract of title to the above described property and oil and gas lease in the names of S. A. Brown and Brown P. Whetzel, filed on the 12th day of December, 1938, in Book 45, Oil, at Page 344, in the Register of Deeds office of Montgomery County, Kansas.

3. That said oil and gas lease is for a term of five (5) years from the date of said lease, and as long thereafter as oil or gas or either of them is produced from said land by leasee, and that affiant knows from his own personal knowledge that whatever oil and gas were produced during the primary or definite term of the above-mentioned oil and gas lease has long since ceased. That there are no producing oil or gas wells now in existence on the property above-described.

And further affiant says not.

V. E. Sturgeon

Subscribed and sworn to before me this 25th day of April, 1953.

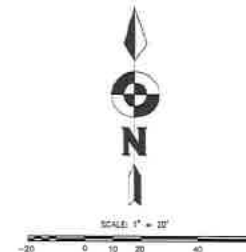
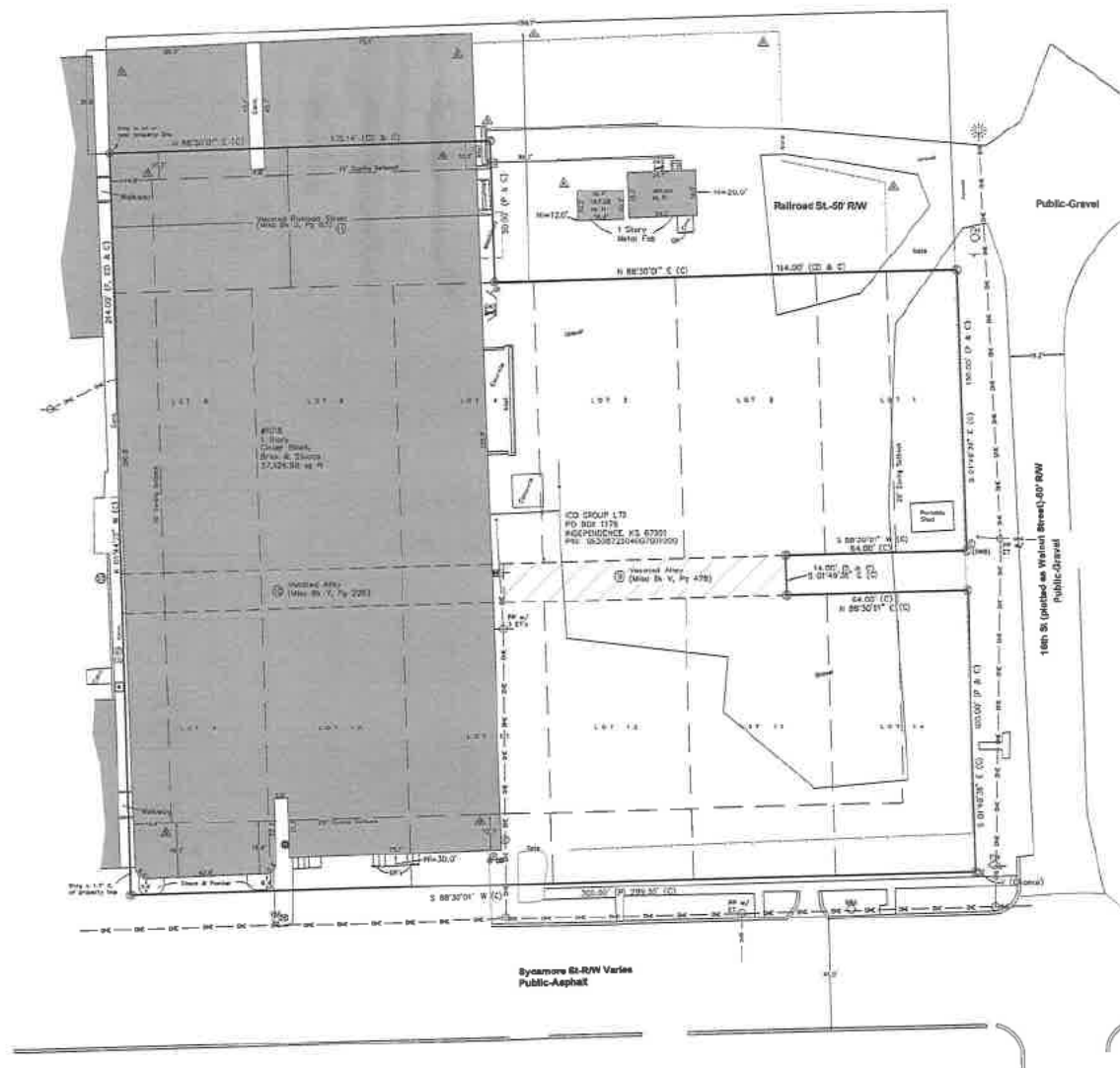
Lee M. Lockard,
Notary Public.

My commission expires: Nov. 14, 1955. (LS)

Recorded the 16th of May 1953 at 11 A.M. ATTEST: Thelma McMurtry, Register of Deeds.

LEGEND OF ALL SYMBOLS USED

- (M) Measured
- (P) Plotted
- (C) Calculated
- (CD) Calculated per Description
- (CP) Calculated Point
- ⊙ Schrod
- ⊙ Gas Valve
- ⊙ Water Meter
- ⊙ Water Meter Vault
- ⊙ Communication Box
- ⊙ Gas Meter
- ⊙ Sign
- ⊙ Fire Department Connector
- ⊙ Sanitary Sewer Manhole
- ⊙ Light Pole
- ⊙ Fire Hydrant
- ⊙ Day Marker
- ⊙ Power Pole
- ⊙ Electric Meter
- ⊙ Vault (see notes)
- ⊙ Electric Box
- ⊙ Air Conditioner Unit
- Fence
- Guardrail
- OR—Guardrail
- PP—Power Pole
- CT—Electric Transformer



REVISIONS

REV	Description of Revision	Date

ALTA / NSPS LAND TITLE SURVEY

Molded Fiber Glass - Independence, KS
1018 W. Sycamore
Independence, Montgomery County, KS

RESPONSIBLE SURVEYOR OR CONTACT INFORMATION

Abbott Land Survey

631 N. Kessler
Wichita, KS 67208
316-362-3262
cabbott@bureauveritas.com
A24-06-049
SHEET 2 OF 2

Survey Coordinated by: Bureau Veritas

510 E. Memorial Road, Suite A-1
Oklahoma City, OK 73114
800-411-2010
ALTA@bvna.com
www.bvna.com



NORTH ↑



7/23/2024

QUIT CLAIM DEED

KNOW ALL PERSONS BY THESE PRESENTS:

That the undersigned, City of Independence, Kansas, a municipal corporation ("Grantor"), hereby quit claims and conveys unto Vico Group, LTD, a Kansas corporation, of P.O. Box 1176, Independence, Kansas 67301 ("Grantee"), the following real estate located in Montgomery County, Kansas, to wit:

The East Fourteen (14) feet of Lot Four (4), Block
C, Dean's Addition to the City of Independence,
Kansas, according to the recorded plat thereof.

There is reserved, however, to the Grantor an easement for any existing utility lines.

This Deed is given to clear title encumbrance subsequent to a prior Ordinance vacating an alleyway once existing upon the subject real estate.

IN WITNESS WHEREOF this instrument is executed this ____ day of September, 2024.

No Real Estate Sales Validation Questionnaire is required pursuant to K.S.A. 79-1437(e)(a)(12).

City of Independence, Kansas

By: _____
Timothy R. Emert, Mayor

Attest:

David W. Schwenker, City Clerk

STATE OF KANSAS)
) SS:
COUNTY OF MONTGOMERY)

BE IT REMEMBERED, that on this ____ day of September, 2024, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came Timothy R. Emert and David W. Schwenker, Mayor and City Clerk of Independence, Kansas, who are personally known to me to be the persons who executed the within instrument of writing and such persons 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.

NOTARY PUBLIC



REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
August 8, 2024

Department Park, Zoo & Cemetery

Director Approval Scott Patton

AGENDA ITEM Consider awarding the bid for the Riverside Park Security Camera Installation.

SUMMARY RECOMMENDATION I recommend awarding the bid for security camera installation in Riverside Park to D&A Electrical Systems, LLC.

BACKGROUND Due to frequent vandalism of park facilities and in the interest of public safety, money was allocated in 2024 for a capital improvement project that will install security surveillance cameras in key areas of Riverside Park. A Request for Proposals was issued on June 17th, with bid submissions due at 2:00 p.m. July 16th. The City received bids from seven vendors, which were reviewed by the Park Director, Assistant City Manager, and IT Coordinator. The RFP requested that bids be itemized with costs for each specific surveillance location. The purpose of an itemized bid is that in the event the total cost exceeds the budgeted amount, the city can choose to cover the highest priority locations, and plan to expand coverage to other locations in future years. The lowest bid was received from D&A Electrical Systems, LLC. D&A is a local establishment and has worked with the city in the past with good results. D&A also offers a 10% discount on their quoted price if more than five of the locations listed on the RFP are covered. This will allow us to cover seven of the nine locations that were listed.

FINANCIAL INFORMATION The total budget that was approved for this project is \$60,000 from Fund 44, Special Parks and Recreation. This will be sufficient to install security cameras at seven out of nine locations in Riverside Park that were listed on the RFP. To install security cameras at the remaining two locations would cost an additional \$16,110.

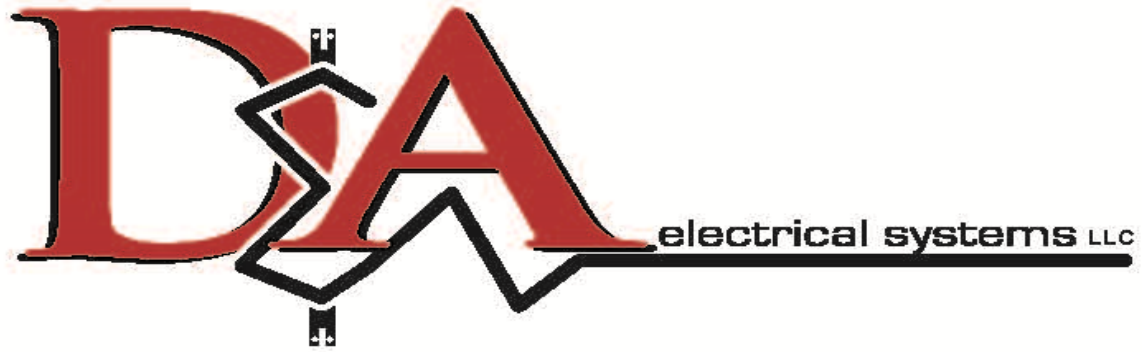
The cloud storage for the surveillance system will require a recurring annual cost. The annual cost for cloud storage is estimated to be \$250 per camera. The first year of cloud storage is included in the bid. In the first phase, there will be 32 cameras installed in Riverside Park, which would incur an estimated cost of \$8,000 per year. To complete all locations listed in the RFP, there would be a total of 37 cameras, which would cost \$9,250 per year. There is an option of installing a storage device that would physically store the data rather than storing it in the cloud. This option would eliminate the recurring annual costs for cloud storage.

70% will be due upon execution of the agreement for materials, and 30% is due upon completion.

SUGGESTED MOTION I move to award the bid for the Riverside Park Security Camera project to D&A Electrical Systems, LLC.

SUPPORTING DOCUMENTS

1. D&A Electrical Systems Riverside Park & Central Park Camera RFP 240716
2. Security Cameras RFP-compressed
3. Bid Totals-compressed



Request for Proposal

For

City of Independence Park Cameras

Low Voltage & Electrical

Contractor

D & A Electrical Systems LLC
KS OSFM Fire Alarm Registration ID: MGRFI1
PO Box 322
Independence, KS 67301
620-331-9331



City of Independence
120 North 6th St.
Independence, KS 67301

July 16, 2024

Attn: David Schwenker davids@independencesks.gov
Scott Patton scottp@independencesks.gov

Bid Proposal Content

Qualification and Experience

D&A Electrical Systems has been in Independence since 2014, Danny Johnston President & Master Electrician has been in Independence since 1996. D&A Electrical has over 25 years of experience in low voltage dealing with Video Surveillance, Access Control, Fire Alarm, Commercial Burg & Networking Cabling. D&A has worked throughout the City of Independence on several facilities projects dealing with their low voltage needs.

References

- Montgomery County Public Works Maintenance Supervisor
Jeff Phelps 620-331-9280
 - Works on Fire Alarm, Video Surveillance, Access Control & Jail door locks and Electrical Systems
- Four County Mental Health IT Director
Troy Daniels 620-332-1995
 - Works on Fire Alarm, Video Surveillance, Access Control and Electrical Systems
- Independence Community College
Tyler Hughes Sr. IT Specialist 620-332-5481
 - Works on Network, Fire Alarm, Access Control & Video Surveillance

Scope of Work

D&A Electrical Systems has reviewed the scope of work and performed a walk through with Scott. Per our walk through and RFP, D&A has figured installing an Invid Tech IP Cloud Solution. This system is very expandable and can work great with your budget over several phases. (Note: Your RFP was a little vague on camera resolution, qualities, locations, recording frame rates, storage retention & who provides the wireless access.) With that we figured the following budget numbers to record all cameras to the cloud for 30 days of storage and to provide a complete wireless network dedicated to your surveillance system. (Note: Storing camaras to the cloud is a little expensive and requires a yearly fee. We have a couple of other options that could save some money if needed.) We also included an IP Camera with 4megapixel resolution, built in IR, 256gb SD card and varifocal lens. (Note: This camera could be changed

1. All parts and labor are covered by a ONE YEAR WARRANTY or Manufacture Warranty.
2. This proposal is valid for 30 days from date above.
3. All Applicable Sales Taxes included in the above proposal.

to a lower resolution which would save some money on yearly fees.) D&A also would like to discuss camera locations after you view these bids to confirm we are meeting all your requirements for a complete system.

Cost Proposal

Total cost is figured via the following budget numbers per area as follows.

Budget A: Riverside Park Head End Area (Total for Budget A is \$6,540.00. This line item is a must.)

- Loc. 1: Water Plant Area
 - Install wireless access antenna on rooftop looking toward the park. This area will connect to City Provided internet feed which will provide camera recording access to the cloud storage.
 - UBNT Antenna
 - UPS System
 - Surge Protection
 - Switch for above antenna connection to customer internet
 - Wiring as needed for above
- Loc. 2: Stadium Press Box
 - Install UBNT antenna that connects to above water plant internet access
 - Install UBNT antenna that connects to park cameras for cloud storage
 - (2) UBNT antennas
 - Power as needed
 - Rack
 - UPS
 - Wiring as needed

Budget B: Park Office (Total for Budget B is \$4,520.00)

- Loc. 3: Office
 - Install (2) 4mp cameras with 2.8-12mm lens, built in IR, built in AI features & 256GB SD card
 - Looking at Locomotive
 - Looking at Front Building
 - License for 30days of storage for 1 year cloud storage per camera
 - Rack
 - UBNT Ant.
 - PoE Switch
 - PoE Surge
 - UPS System
 - Power & Misc. Cables needed

Budget C: Locomotive Area (Total for Budget C is \$4,980.00)

- Loc. 4: Pole with existing pole
 - Install (2) 4mp cameras with 2.8-12mm lens, built in IR, built in AI features & 256GB SD card
 - Looking at Locomotive
 - Looking at road & miniature golf
 - License for 30days of storage for 1 year cloud storage per camera

1. All parts and labor are covered by a ONE YEAR WARRANTY or Manufacture Warranty.
2. This proposal is valid for 30 days from date above.
3. All Applicable Sales Taxes included in the above proposal.

- Pole Mounted Power Junction Box:
 - 120v circuit
 - Conduit up pole
 - Weatherproof Box
 - Harden PoE switch
 - PoE Surge
- UBNT Ant.
- Misc. Cables

Budget D: Train Ticket Booth (Total for Budget D is \$8,600.00)

- Loc. 5: Ticket Booth
 - Install (2) 4mp cameras with 2.8-12mm lens, built in IR, built in AI features & 256GB SD card
 - Looking at Ticket window & under train shelter area
 - Looking toward the East walkway
 - License for 30days of storage for 1 year cloud storage per camera
 - Rack
 - UBNT Ant.
 - PoE Harden Switch
 - PoE Surge
 - UPS System
 - Power & Misc. Cables needed
- Loc. 6: Miniature Golf Light Pole
 - Install (2) 4mp cameras with 2.8-12mm lens, built in IR, built in AI features & 256GB SD card
 - Looking North toward miniature golf course
 - Looking South toward statue gardens
 - License for 30days of storage for 1 year cloud storage per camera
 - Pole Mounted Power Junction Box:
 - 120v circuit
 - Conduit up pole
 - Weatherproof Box
 - Harden PoE switch
 - PoE Surge
 - UBNT Ant.
 - Misc. Cables

Budget E: Park Area (Total for Budget E is \$24,810.00)

- This area is protected by 15 cameras over 4 different areas. Note: we can add or omit as needed.
 - Loc. 7: Pole by Office
 - Install (3) 4mp cameras with 2.8-12mm lens, built in IR, built in AI features & 256GB SD card
 - Looking S.E. toward Park
 - Looking South toward Parking
 - Looking S.W. toward side of office
 - License for 30days of storage for 1 year cloud storage per camera
 - Pole Mounted Power Junction Box:

1. All parts and labor are covered by a ONE YEAR WARRANTY or Manufacture Warranty.
2. This proposal is valid for 30 days from date above.
3. All Applicable Sales Taxes included in the above proposal.

- 120v circuit
 - Conduit up pole
 - Weatherproof Box
 - Harden PoE switch
 - PoE Surge
- UBNT Ant.
- Misc. Cables
- Loc. 8: S.W. Bathroom
 - Install (4) 4mp cameras with 2.8-12mm lens, built in IR, built in AI features & 256GB SD card
 - Looking N.E. toward Park
 - Looking S.E. toward sidewalk
 - Looking West toward Miniature Golf and Ticket Booth
 - Looking North toward parking and road
 - License for 30days of storage for 1 year cloud storage per camera
 - Building Mounted Power Junction Box:
 - 120v circuit
 - Conduit
 - Weatherproof Box
 - Harden PoE switch
 - PoE Surge
 - UBNT Ant.
 - Misc. Cables
- Loc. 9: S.E. Pole
 - Install (3) 4mp cameras with 2.8-12mm lens, built in IR, built in AI features & 256GB SD card
 - Looking N.W. toward Park
 - Looking South toward Parking
 - Looking N.E. toward Parking
 - License for 30days of storage for 1 year cloud storage per camera
 - Solar Mounted Power Junction Box:
 - 200 watts solar with battery backup
 - Weatherproof Box
 - Harden PoE switch
 - PoE Surge
 - UBNT Ant.
 - Misc. Cables
- Loc. 10: Bathroom
 - Install (5) 4mp cameras with 2.8-12mm lens, built in IR, built in AI features & 256GB SD card
 - Looking N.W. toward Carousel & pop machine
 - Looking S.W. toward Park
 - Looking at bathroom main entrance
 - Looking S.E. toward parking
 - Looking N.E. toward parking
 - License for 30days of storage for 1 year cloud storage per camera
 - Rack
 - UBNT Ant.

1. All parts and labor are covered by a ONE YEAR WARRANTY or Manufacture Warranty.
2. This proposal is valid for 30 days from date above.
3. All Applicable Sales Taxes included in the above proposal.

- PoE Harden Switch
- PoE Surge
- UPS System
- Power & Misc. Cables needed

Budget F: Interurban Shelter (Total for Budget F is \$5,930.00)

- Loc. 11: Interurban Shelter
 - Install (3) 4mp cameras with 2.8-12mm lens, built in IR, built in AI features & 256GB SD card
 - Looking S.W. toward parking entrance
 - Looking East toward parking
 - Looking N.E. toward parking
 - License for 30days of storage for 1 year cloud storage per camera
 - Building Mounted Power Junction Box:
 - 120v circuit
 - Conduit
 - Weatherproof Box
 - Harden PoE switch
 - PoE Surge
 - UBNT Ant.
 - Misc. Cables

Budget G: Rock House (Total for Budget G is \$4,980.00)

- Loc. 12: Rock House
 - Install (2) 4mp cameras with 2.8-12mm lens, built in IR, built in AI features & 256GB SD card
 - Looking S.W. toward table
 - Looking East toward walkway
 - License for 30days of storage for 1 year cloud storage per camera
 - Building Mounted Power Junction Box:
 - 120v circuit
 - Conduit
 - Weatherproof Box
 - Harden PoE switch
 - PoE Surge
 - UBNT Ant.
 - Misc. Cables

Budget H: Bandshell (Total for Budget H is \$5,940.00)

- Loc. 13: Bandshell
 - Install (3) 4mp cameras with 2.8-12mm lens, built in IR, built in AI features & 256GB SD card
 - Looking North behind the building
 - Looking under bandshell
 - Looking South toward the setting area
 - License for 30days of storage for 1 year cloud storage per camera
 - Building Mounted Power Junction Box:
 - 120v circuit

1. All parts and labor are covered by a ONE YEAR WARRANTY or Manufacture Warranty.
2. This proposal is valid for 30 days from date above.
3. All Applicable Sales Taxes included in the above proposal.

- Conduit
- Weatherproof Box
- Harden PoE switch
- PoE Surge
- UBNT Ant.
- Misc. Cables

Budget I: Snack Shack (Total for Budget I is \$5,460.00)

- Loc. 14: Snack Shack
 - Install (3) 4mp cameras with 2.8-12mm lens, built in IR, built in AI features & 256GB SD card
 - Looking S.E. toward window and parking
 - Looking N.W. toward window and setting area
 - Looking South side of building
 - License for 30days of storage for 1 year cloud storage per camera
 - Rack
 - UBNT Ant.
 - PoE Harden Switch
 - PoE Surge
 - UPS System
 - Power & Misc. Cables needed

Budget J: Kiddy Land (Total for Budget J is \$12,920.00)

- Loc 15: Pole
 - Install (3) 4mp cameras with 2.8-12mm lens, built in IR, built in AI features & 256GB SD card
 - Looking West toward gate
 - Looking North toward park
 - Looking East toward park and walkway
 - License for 30days of storage for 1 year cloud storage per camera
 - Pole Mounted Power Junction Box:
 - 200watt solar power supply
 - Weatherproof Box
 - Harden PoE switch
 - PoE Surge
 - UBNT Ant.
 - Misc. Cables
- Loc. 16: Small Bathroom
 - Install (2) 4mp cameras with 2.8-12mm lens, built in IR, built in AI features & 256GB SD card
 - Looking toward park (2)
 - License for 30days of storage for 1 year cloud storage per camera
 - Building Mounted Power Junction Box:
 - 120v circuit
 - Conduit
 - Weatherproof Box
 - Harden PoE switch
 - PoE Surge

1. All parts and labor are covered by a ONE YEAR WARRANTY or Manufacture Warranty.
2. This proposal is valid for 30 days from date above.
3. All Applicable Sales Taxes included in the above proposal.

- UBNT Ant.
- Misc. Cables

Budget K: Central Park Complex Headend (Total for Budget K is \$4,870.00. Note: This is a must for any cameras at the complex.)

- Loc. 17: Concession Stand
 - Install (2) wireless antennas on roof of concession looking toward complex both east and west sides. This will connect to customer provided internet and will provide recording access to the cloud storage.
 - UBNT Antenna (2)
 - UPS System
 - Rack
 - Surge Protection
 - Switch for above antenna connection to customer internet
 - Wiring as needed for above

Budget L: Concession Cameras (Total for Budget L is \$6,910.00)

- Loc. 17: Concession Stand
 - Install (4) 4mp cameras with 2.8-12mm lens, built in IR, built in AI features & 256GB SD card
 - Looking S.E. toward window & road
 - Looking N.W. toward cover shelter
 - Looking N.W. toward window and playground
 - Looking South
 - License for 30days of storage for 1 year cloud storage per camera
 - UBNT Ant.
 - PoE Harden Switch
 - PoE Surge
 - UPS System
 - Power & Misc. Cables needed

Budget M: 4 Plex (Total for Budget M is \$10,980.00)

- Loc. 18: Jacee Field Back Stop
 - Install (3) 4mp cameras with 2.8-12mm lens, built in IR, built in AI features & 256GB SD card
 - Looking North between fields
 - Looking S.E.
 - Looking South
 - License for 30days of storage for 1 year cloud storage per camera
 - Pole Mounted Power Junction Box:
 - 120v circuit
 - Conduit up pole
 - Weatherproof Box
 - Harden PoE switch
 - PoE Surge
 - UBNT Ant.
 - Misc. Cables
- Loc. 19: Clark James Back Stop

1. All parts and labor are covered by a ONE YEAR WARRANTY or Manufacture Warranty.
2. This proposal is valid for 30 days from date above.
3. All Applicable Sales Taxes included in the above proposal.

- Install (3) 4mp cameras with 2.8-12mm lens, built in IR, built in AI features & 256GB SD card
 - Looking West between fields
 - Looking East toward playground
 - Looking South between fields
- License for 30days of storage for 1 year cloud storage per camera
- Pole Mounted Power Junction Box:
 - 120v circuit
 - Conduit up pole
 - Weatherproof Box
 - Harden PoE switch
 - PoE Surge
- UBNT Ant.
- Misc. Cables

Budget N: Parking Lot (Total for Budget N is \$11,640.00)

- Loc. 20: Pole
 - Install (3) 4mp cameras with 2.8-12mm lens, built in IR, built in AI features & 256GB SD card
 - Looking S.W. parking
 - Looking East toward drive entrance
 - Looking N.E. toward parking
 - License for 30days of storage for 1 year cloud storage per camera
 - Pole Mounted Power Junction Box:
 - 120v circuit
 - Conduit up pole
 - Weatherproof Box
 - Harden PoE switch
 - PoE Surge
 - UBNT Ant.
 - Misc. Cables
- Loc. 21: Pole
 - Install (3) 4mp cameras with 2.8-12mm lens, built in IR, built in AI features & 256GB SD card
 - Looking North toward donor wall
 - Looking East toward parking (2)
 - License for 30days of storage for 1 year cloud storage per camera
 - Pole Mounted Power Junction Box:
 - 120v circuit
 - Conduit up pole
 - Weatherproof Box
 - Harden PoE switch
 - PoE Surge
 - UBNT Ant.
 - Misc. Cables

1. All parts and labor are covered by a ONE YEAR WARRANTY or Manufacture Warranty.
2. This proposal is valid for 30 days from date above.
3. All Applicable Sales Taxes included in the above proposal.

Budget O: Basketball & Fitness (Total for budget O is \$12,550.00)

- Loc. 22: Basketball
 - Install (3) 4mp cameras with 2.8-12mm lens, built in IR, built in AI features & 256GB SD card
 - Looking at Courts
 - Looking South toward parking
 - Looking North toward large parking
 - License for 30days of storage for 1 year cloud storage per camera
 - Trench and pull wires as needed
 - Pole Mounted Power Junction Box:
 - 120v circuit
 - Conduit up pole
 - Weatherproof Box
 - Harden PoE switch
 - PoE Surge
 - UBNT Ant.
 - Misc. Cables
- Loc. 23: Fitness
 - Install (2) 4mp cameras with 2.8-12mm lens, built in IR, built in AI features & 256GB SD card
 - Looking N.W. toward fitness court
 - Looking East toward walkway
 - License for 30days of storage for 1 year cloud storage per camera
 - Trench and pull wires as needed
 - Pole Mounted Power Junction Box:
 - 120v circuit
 - Conduit up pole
 - Weatherproof Box
 - Harden PoE switch
 - PoE Surge
 - UBNT Ant.
 - Misc. Cables

Budget P: Skate Park (Total for Budget P is \$5,920.00)

- Loc. 24: Skate Park
 - Install (3) 4mp cameras with 2.8-12mm lens, built in IR, built in AI features & 256GB SD card
 - Looking North toward drive entrance
 - Looking East toward parking
 - Looking South toward skatepark
 - License for 30days of storage for 1 year cloud storage per camera
 - Pole Mounted Power Junction Box:
 - 120v circuit
 - Conduit up pole
 - Weatherproof Box
 - Harden PoE switch
 - PoE Surge
 - UBNT Ant.

1. All parts and labor are covered by a ONE YEAR WARRANTY or Manufacture Warranty.
2. This proposal is valid for 30 days from date above.
3. All Applicable Sales Taxes included in the above proposal.

- Misc. Cables

Budget Q: Maintenance Shop (Total for Budget Q is \$3,880.00)

- Loc. 25: Maintenance Shop
 - Install (1) 4mp cameras with 2.8-12mm lens, built in IR, built in AI features & 256GB SD card
 - Looking West toward drive and door
 - License for 30days of storage for 1 year cloud storage per camera
 - Rack
 - UBNT Ant.
 - PoE Harden Switch
 - PoE Surge
 - UPS System
 - Power & Misc. Cables needed

Notes:

- No Sale tax is figured Please provide a PEC
- All cameras are either dome, bullet or turret style
- We figured license for 1 year at 30 days of storage in the cloud. You will have yearly fees for future cloud storage
- We can change to 14 days of storage and save about \$60 per camera
- Terms:
 - 70% Release of PO for material
 - 30% Completion of each budget
- Discount:
 - If you proceed with more than 5 above budget numbers, you can save 10% per budget.
- D&A Electrical has several cost-saving ideas and would appreciate the opportunity to assist you with the design of your video surveillance package.

Thanks for the Opportunity,

Danny Johnston
 D&A Electrical Systems
 620-331-9331 cell
djohnston@esystems dna.com

1. All parts and labor are covered by a ONE YEAR WARRANTY or Manufacture Warranty.
2. This proposal is valid for 30 days from date above.
3. All Applicable Sales Taxes included in the above proposal.

RIVERSIDE PARK INDEPENDENCE, KANSAS



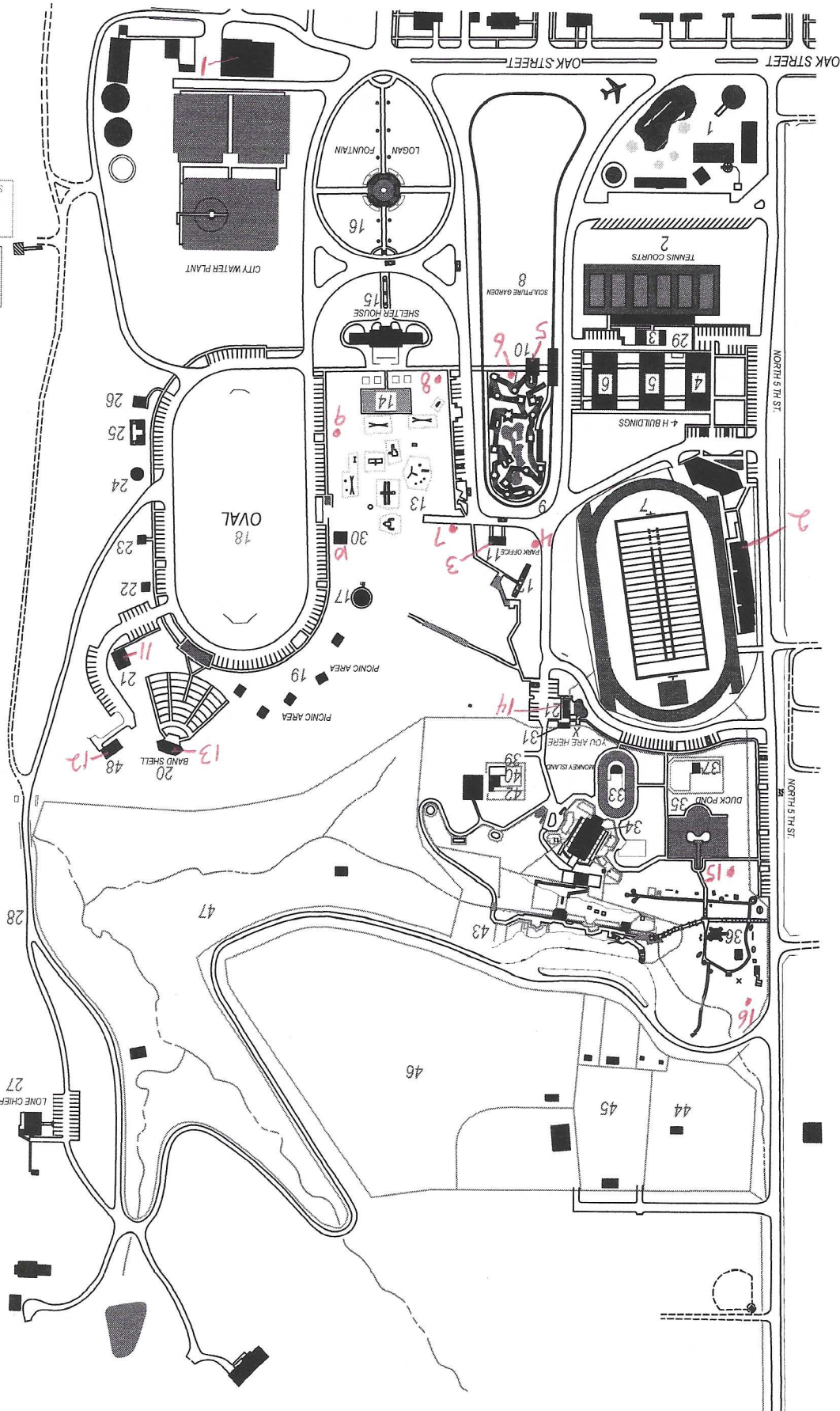
© 2001

VERDIGRIS RIVER

- 1 RIVERSIDE BEACH FAMILY AQUATIC CENTER
- 2 KEN BROWN TENNIS COURTS
- 3 TENNIS CLUB HOUSE
- 4 ENCLOSED 4-H BUILDING
- 5 MIDDLE OPEN 4-H BUILDING
- 6 EAST OPEN 4-H BUILDING
- 7 ELMOT FIELD
- 8 SCULPTURE GARDEN
- 9 MINATURE TRAIN
- 10 MINATURE GOLF COURSE
- 11 GARDEN CLUB HOUSE & PARK OFFICE
- 12 SANTA FE 1050 TRAIN
- 13 HORNER PLAYGROUND
- 14 CORYTHSAURUS DINOSAUR
- 15 STICK SHELTER HOUSE
- 16 LOGAN FOUNTAIN
- 17 PARK OVAL
- 18 KIMANIS SHELTERS
- 19 BOB HILL RIVERSIDE BOWL (BANDSHELL)
- 20 CONFESSION HOUSE
- 21 SCHOOL HOUSE SHELTER
- 22 OPEN SHELTER
- 23 LEONARD OPEN SHELTER
- 24 HORSE SHOE PIT
- 25 HORSE SHELTER
- 26 OPEN SHELTER
- 27 LONE CHIEF CABIN
- 28 WELLS DRIVE ONE WAY
- 29 MONKEY ISLAND ZOO
- 30 MONKEY BUILDING
- 31 MAIN 200 EXHIBIT BUILDING
- 32 STEVENS BUILDING
- 33 DUCK POND
- 34 MIDWAY LAND
- 35 WALLABY EXHIBIT & EMU EXHIBIT
- 36 AFRICAN SPURRED TORTOISES
- 40 DONKEY EXHIBIT
- 41 KIDDY LAND
- 42 OVAL EXHIBIT
- 43 RAVINE NATIVE KANSAS ANIMALS
- 44 LLAMA PEN
- 45 LAM PEN
- 46 BISON AND DEER PEN
- 47 ALOUAD PEN
- 48 ROCK KITCHEN
- RESTROOMS
- 29 4-H BUILDING
- 30 HORNER PLAYGROUND
- 31 RAMPART HATCHET ZOO
- DRINKING FOUNTAINS
- CAROUSEL AREA
- PLAYGROUND RESTROOM AREA
- ZOO RESTROOM AREA
- NIDYLAND PLAYGROUND
- TENNIS COURTS
- CHARTER FOUNTAIN
- PROVIDED BY LIONS CLUB
- WATER & SPRAWL 1000 PAID 2 PAID

BY - MIKE CONWAY

UPDATED JUNE 27 TH 2014





NOT TO SCALE



INDIGO DESIGN, INC.

8523 Turner Trade Drive Do Seon, KS 66201
PH: (913) 682-1320 FAX: (913) 684-1370

PROJECT TEAM

LANDSCAPE ARCHITECTURE
INSIDE DESIGN INC.

LANDSCAPE ARCHITECTURE

Y&R DESIGN

PROFESSIONAL ENGINEERING
CONSULTANTS, P.A. (PECC)

ARCHITECTURE

HIGH ARCHITECTURE & INTERIOR

ELECTRICAL ENGINEERING
PRINIPAL ENGINEERMEP ENGINEERING
CIVIL ENGINEERING

STRUCTURAL ENGINEERING

Abstract

GENERAL

SITE

LAYOUT

100

Sheet

7



Request for Proposals
For
Riverside Park Security Camera Installation

Posted on website

<http://www.independenceks.gov/bids>

June 17, 2024

Response Due: Prior to 2:00 PM, July 16, 2024

Office of City Clerk
RFP – Park Cameras
City of Independence
120 N. 6th St.
Independence, Kansas 67301



Request for Proposal:

Security Cameras – Riverside Park & City Skate Park

Table of Contents

Section 1	Introduction & Project Summary	3
Section 2	Scope of Work	4
Section 3	Proposed Schedule	4
Section 4	Proposal Content	5
Section 5	Instructions for Submittal	6



SECTION 1 INTRODUCTION & PROJECT SUMMARY

This Request for Proposal (RFP) is to contract a professional security camera installation company to install security cameras in Riverside Park and the City Skate Park.

The Independence City Park, also known as Riverside Park, consists of a large open area, with varying topography, tree canopy, and various buildings and structures. The area experiences frequent vandalism. To mitigate this issue, the City of Independence is seeking proposals to install security cameras in high traffic areas and vandalism “hotspots”.

Riverside Park address (park office): 400 Mickey Mantle Way, Independence, KS 67301

Locations within the park that require camera surveillance are:

- Playground
 - Includes adjacent parking areas, restroom facilities, and carousel entrance.
- Park Office
 - Parking and street in front of office, front door, and windows.
- Locomotive
 - Coverage on all sides of the locomotive, including stairs leading into the cab.
- Ticket Booth
 - Adjacent sidewalks, statue gardens, miniature golf course, and miniature train depot.
- Bandshell
 - Coverage of amphitheater seating, stage, and back side of amphitheater.
- Interurban Shelter & Rock House
 - Coverage of adjacent parking areas and building entrances
- Snack Shack
 - Coverage of parking area, zoo entrance, and concession stand.
- Kiddy Land
 - Coverage of parking area, zoo gate, and restroom.

Areas outside of Riverside Park:

- City Skate Park
 - Located at 828 N. Pennsylvania Ave, Independence, KS 67301
 - Should include coverage of skate equipment and parking area.



SECTION 2 SCOPE OF WORK

PHASE 1 – Estimate of camera installation at the above locations

The City of Independence is requesting a proposal for the installation of surveillance cameras at the above locations. The contractor shall provide and pay for all materials, labor, tools, equipment, clean site, and transportation of every nature and all other services and facilities of every nature whatsoever, necessary to execute, complete and deliver the work within the specified time. All supplies and materials shall be new. Any electrical or utility work shall be compliant with Independence city code and must be done by a licensed and insured contractor. Estimates should be itemized by location. The successful bidder must understand that depending on cost, the project may need to be completed in phases to fit within budget constraints. Please communicate in the response an overview of a phased approach and implementation of the security system in phases and the cost to implement and bring on sections each year.

PHASE 2 – City will award the contract

The City of Independence will award the contract with the contractor completing the work within 30 days of the award date based on the availability of materials needed.

Existing Conditions

The contractor, in undertaking the work under this contract, is assumed to have visited the premises and to have taken into consideration all conditions which might affect the work. No consideration will be given to any claims based on lack of knowledge of existing conditions.

SECTION 3 PROPOSED SCHEDULES

TENTATIVE SCHEDULE OF DATES

Advertise for Proposals	Date: June 17, 2024
Deadline for Proposal Submission	Date: July 16, 2024 at 2:00 PM
Questions or access	Contact Scott Patton – 620.205.7527
Proposal Award:	Date: Anticipate by August 6, 2024
Project Completed:	30-days from the award



SECTION 4 PROPOSED CONTENT

PROPOSAL CONTENT

Proposals shall address the following items in numerical order.

1. Qualifications and Experience. Detailed information on the history, qualifications, and experience of the firm and key personnel participating on the project, including identifying the project manager.
2. Insurance. Proof of liability insurance, personal injury including death and workers compensation coverage.
3. City of Independence and State of Kansas business license.
4. Project Approach. Provide a timeline of the proposed project.
5. Cost Proposal. Submit your bid on the attached bid sheet.

Proposals will be evaluated based primarily on the following criteria:

1. Overall proposal quality and responsiveness to the Request for Proposals, including but not limited to the completeness, clarity, conciseness, and overall comprehension of the scope of work.
2. Qualifications of the respondents, as evidenced by the knowledge, skills, and experience of the firm's proposed team with similar projects.
3. Demonstrated proven experience with similar projects.
4. Respondent's personnel and available resources devoted to the project.
5. Ability to complete the work in the designated period.
6. Project Cost.

SECTION 5 INSTRUCTIONS FOR SUBMITTAL



INSTRUCTIONS:

Submissions must include one (1) hard copy and one (1) electronic pdf copy of the proposal by 2:00 p.m. CST on July 16, 2024. Email copies should be sent to davids@independenciks.gov and scott@independenciks.gov. You will receive a confirmation of email receipt.

Proposals shall be directed to:

David Schwenker, City of Independence, 120 N. 6th St, Independence, KS 67301, 620-332-2500, davids@independenciks.gov

Proposals must be received by the time specified at the address listed above. Any proposals received after the deadline will not be considered.

The City of Independence reserves the right to reject, add, or delete options after the proposal is awarded, and expects appropriate credit or debit for said options. The City of Independence reserves the right to accept or reject any or all bids or to waive any irregularities should any occur as may best benefit the City.

This proposal is good for 30 days from the opening date.

Vendor	Total Cost Estimate
D&A Electrical Systems	\$76,212
Uplink Technologies	\$83,283
INA Alert	\$84,680
Capital Technologies	\$93,345
Gateway Wireless	\$103,075
Mid Central	\$129,343
Bosch Security Systems	\$219,354



REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
August 8, 2024

Department Admin

Director Approval David Cowan

AGENDA ITEM Consider Amending Article III. Section 10-101 of the City Code.

SUMMARY RECOMMENDATION City Staff recommends amending the code.

BACKGROUND The animal control officer has requested a change to the City Code regarding exotic or dangerous animals within the city limits. Recently, the officer was dispatched to a residence concerning snakes and rats, where they encountered three large pythons abandoned by the previous owner and 15 live rats. The City has previously dealt with issues involving exotic animals or found abandoned exotic animals that had been released when they became problematic for their handlers.

The current City Code has a limited ban on certain animals within the city but does not reference venomous or dangerous animals. In collaboration with the City Attorney, animal control, and Scott Patton, the staff has proposed an amended code listing 37 different types of animals and reptiles that will not be allowed within the city limits. After discussions with the staff and the City Attorney, it was decided to list all the animals instead of continually adding species as they are encountered. Exceptions have been provided for Riverside Park/Zoo, carnivals, fairs, educational, and medical institutions, with restrictions.

FINANCIAL INFORMATION N/A

SUGGESTED MOTION I move to adopt Ordinance No. 4458 amending Article III. Section 10-101 of the City Code.

SUPPORTING DOCUMENTS

1. ORDINANCE 4458 - Amending Article 3 - Livestock

ORDINANCE NO. 4458

**An Ordinance Amending Article III. - LIVESTOCK
As Previously Adopted by the City of Independence**

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

Section 1. City Code Section 10-101 is hereby amended to read as follows in its entirety:

- (a) It shall be unlawful for any person to own, keep, maintain or have in his possession or under his control within the city any venomous reptile or any other dangerous wild animal or reptile, any vicious or dangerous domesticated animal or any other animal or reptile of wild, vicious or dangerous propensities.
- (b) It shall be unlawful for any person to own, keep, maintain or have in his or her possession or under his or her control, or permit the same to run at large, within the city any of the following animals:
 - (1) Horses
 - (2) Mules
 - (3) Asses
 - (4) Cattle
 - (5) Swine
 - (6) Sheep or goats
 - (7) All venomous animals including but not limited to rear-fang snakes;
 - (8) Apes: Chimpanzees, gibbons, gorillas, orangutans, and siamangs;
 - (9) Baboons;
 - (10) Badgers;
 - (11) Bears;
 - (12) Bison;
 - (13) Bobcats;
 - (14) Cheetahs;
 - (15) Constrictor snakes, five feet in length or more;
 - (16) Coyotes;
 - (17) Crocodilians;

- (18) Deer, includes all members of the deer family, for example, white-tailed deer, elk, antelope and moose;
 - (19) Domestic dogs hybridized with wild canines such as wolves and coyotes;
 - (20) Elephants;
 - (21) Game cocks and other fighting birds;
 - (22) Hippopotami;
 - (23) Hyenas;
 - (24) Jaguars;
 - (25) Leopards;
 - (26) Lions;
 - (27) Lynxes;
 - (28) Monkeys;
 - (29) Ostriches, emus cassowaries, and rheas;
 - (30) Pumas, also known as cougars, mountain lions and panthers;
 - (31) Raccoons;
 - (32) Rhinoceroses;
 - (33) Skunks;
 - (34) Tigers;
 - (35) Wolves;
 - (36) Montor Lizards
 - (37) Snapping Turtles
- (b) Subsections (a) and (b) shall not apply to bona fide pet shops, zoos, circuses, carnivals, educational institutions, fairs, or medical institutions, if:
- (1) Their location conforms to the provisions of the zoning ordinance of the city;
 - (2) All animals and animal quarters are kept in a clean and sanitary condition and so maintained as to eliminate objectionable odors; and
 - (3) Animals are maintained in quarters so constructed as to prevent their escape.
- (c) It shall be unlawful for the owner, keeper or person in charge of any chickens, turkeys, geese, ducks, guineas or other domestic fowl to permit the same to run at large in the city.

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

Adopted by the Governing Body of the City of Independence, Kansas, on the 08th day of August 2024.

TIM EMERT, MAYOR

ATTEST:

DAVID W. SCHWENKER, City Clerk



REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
August 8, 2024

Department Admin

Director Approval David Cowan

AGENDA ITEM Consider approving demolition bids.

SUMMARY RECOMMENDATION City Staff recommends approving demo bids.

BACKGROUND The City received two responses to our RFP to remove dangerous and unsafe structures related to fire damage.

Demolition Bid Tabulation	MEGA LLC	JRB Industries
1041 N 11th	\$ 8,100.00	\$ 7,400.00
909 W Cottonwood	6,500.00	7,600.00
Combined Bid	14,000.00	14,700.00
1041 N 11th	7,700.00	7,300.00
909 W Cottonwood	6,300.00	7,400.00

City Staff is recommending awarding 1041 N. 11th to JRB Industries for \$7,400.00 and 909 W. Cottonwood to MEGA LLC for \$6,500.00.

FINANCIAL INFORMATION The demolition fund currently has \$39,636.29 with \$32,900 obligated to previous demolition awards and demolition grants. The \$6,500.00 will leave a balance of \$236.29 and overages will be covered by the general fund.

The City has insurance proceeds to cover the \$7,400.00 demolition fees for 1041 N. 11th.

SUGGESTED MOTION I move to award 1041 N. 11th to JRB Industries for \$7,400.00 and 909 W. Cottonwood to MEGA LLC for \$6,500.00.

SUPPORTING DOCUMENTS

1. Demolition 07262024 Bid Tabulation
2. JRB Industries
3. MEGA LLC

Demolition Bid Tabulation

	MEGA LLC	JRB Industries	
1041 N 11th	\$ 8,100.00	\$ 7,400.00	
909 W Cottonwood	6,500.00	7,600.00	
			Lowest Individual Bid Total
Combined Bid	14,000.00	14,700.00	\$ 13,900.00
1041 N 11th	7,700.00	7,300.00	
909 W Cottonwood	6,300.00	7,400.00	

7. BID SCHEDULE

Alternative Bids Permitted: A bidder may submit a bid on each individual property or may submit one bid for all the properties combined, or do both. When submitting a bid on all properties combined, the bidder must itemize the cost of demolition as to each property so the City can pass the cost on to the property owner as allowed by law.

A. Individual Bids:

- 1041 N. 11th Street
- 909 W. Cottonwood Street

\$ 7,400.⁰⁰/
\$ 7,600.⁰⁰/

B.

(I will remove both structures, at the reduced price, if awarded both)

- **Reduced Price Total:** \$ 14,700.⁰⁰/
 - **Cost of Structure 1041 N. ~~St~~:** \$ 7,300.⁰⁰/
 - **Cost of Structure 909 W. Cottonwood:** \$ 7,400.⁰⁰/

If a bidder improperly withdraws a bid or refuses to honor a bid that has been awarded by the City, the bidder shall not be eligible to bid on any City projects for a period of one (1) year thereafter.

JRB Industries Inc. PO Box 603 Parsons, KS
Name of Bidder (Printed) Address 67357

James R. Beachner
Signature

7-26-24
Date

President
Title

6204231070
Contact Phone Number

james.beachner@gmail.com
Email



7. **BID SCHEDULE**

Alternative Bids Permitted: A bidder may submit a bid on each individual property or may submit one bid for all the properties combined, or do both. When submitting a bid on all properties combined, the bidder must itemize the cost of demolition as to each property so the City can pass the cost on to the property owner as allowed by law.

A. Individual Bids:

- 1041 N. 11th Street \$8100⁰⁰
- 909 W. Cottonwood Street \$6500⁰⁰

B. [REDACTED]

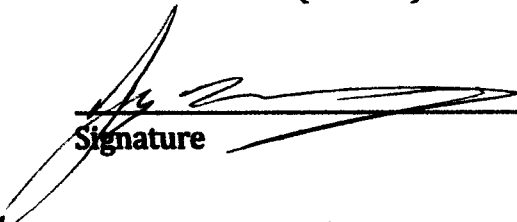
(I will remove both structures, at the reduced price, if awarded both)

- **Reduced Price Total:** \$14,000
- **Cost of Structure 1041 N. 9th:** \$7700⁰⁰
- **Cost of Structure 909 W. Cottonwood:** \$6300⁰⁰

If a bidder improperly withdraws a bid or refuses to honor a bid that has been awarded by the City, the bidder shall not be eligible to bid on any City projects for a period of one (1) year thereafter.

MEGA LLC
Name of Bidder (Printed)

2950 CR 3800
Address


Signature

7-25-24
Date

OWNER
Title

620-331-9209
Contact Phone Number

DirtDude1960@gmail.com
Email



REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
August 8, 2024

Department Housing

Director Approval April Nutt

AGENDA ITEM Request approval to submit a Moderate Income Housing Grant disbursement #2 request to Kansas Housing Resources Corporation on behalf of Trident Partnerships LLC.

SUMMARY RECOMMENDATION The Independence Housing Authority and City staff recommend signing the disbursement request in the amount of \$185,400 to be submitted to Kansas Housing Resources Corporation on behalf of Trident Partnerships LLC.

BACKGROUND 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 \$185,400 is the second request for a disbursement of funds.

Since the grant disbursement is approved and controlled by KHRC, we also ask for the authority to approve future disbursements without placing them on the agenda to ensure timelier disbursements. The Finance Director has also indicated that Commission approval is not normally required for disbursements unless it is a grant requirement.

FINANCIAL INFORMATION There will be no impact on the City budget, as the City is the agency to which the grant funds were awarded on behalf of Trident Partnerships LLC. The disbursement of monies will be from the Kansas Housing Resources Corporation.

SUGGESTED MOTION

1. I move to authorize the Mayor or City Manager to sign the disbursement request of \$185,400 from Kansas Housing Resources Corporation on behalf of Trident Partnerships LLC.
2. I move to authorize the Mayor or City Manager to sign any future disbursements from the Kansas Housing Resources Corporation on behalf of Trident Partnerships LLC.

SUPPORTING DOCUMENTS

1. 08082024-TridentLetter
2. RFD 2 - Invoice_1001_from_Trident_Partnership_LLC_7.9.2024



Office of the City Manager
120 North 6th Street
Independence, KS 67301

August 8, 2024

KHRC Housing Development
611 S Kansas Ave # 300
Topeka, KS 66603

RE: KHRC Housing Development: MIH, KHITC, & MIH-ARPA - 2023 Round 1 - City of Independence - Independence Downtown Revitalization Project 23-0111_SGF - Request for Disbursement 2

To whom it may concern,

The City of Independence respectfully requests the disbursement of \$185,400 for the project referenced above. The Request for Disbursement Form and supporting documentation are included with this letter.

I appreciate your time processing this request.

Sincerely,

Kelly Passauer, CPM
City Manager

Trident Partnership, LLC
3321 SW Westover Rd
Topeka, KS 66604 US
christopher@tridentpartnerships.com

Invoice

BILL TO
Independence Project 420 sw 9th Topeka, ks 66612

INVOICE #	DATE	TOTAL DUE	DUE DATE	TERMS	ENCLOSED
1001	07/09/2024	\$185,400.00	08/08/2024	Net 30	

SERVICE	DESCRIPTION	QTY	RATE	AMOUNT
Consulting	Consulting and Development services	927	200.00	185,400.00

BALANCE DUE

\$185,400.00



Report
CITY OF INDEPENDENCE
August 8, 2024

Department Admin

Director Approval Kelly Passauer

AGENDA ITEM City Board Minutes

BACKGROUND

SUPPORTING DOCUMENTS

1. May 17, 2024 Landbank Minutes
2. July 16, 2024 Housing Authority Minutes
3. July 17, 2024 Recreation Commission Board Minutes

MINUTES OF THE MEETING OF THE
INDEPENDENCE LAND BANK
May 17, 2024
Noon—City Hall Conference Room

Board Members in Attendance: Jeri Hammerschmidt, Lisa Richard, John Heckman, Mary Jo Wallis ,and Lori Wesselowski.

Personnel in Attendance: April Nutt.

Vice-Chairman Heckman called the meeting to order.

Items Requiring Board Action

Wallis made a motion to approve the consent agenda. Wesselowski seconded the motion. The motion passed 5-0.

Richards made a motion to approve the following slate of officers; John Heckman, Chairman; Jeri Hammerschmidt, Vice-Chairman; Lori Wesselowski, Secretary; and Shelley Hudson, Treasurer. Wallis seconded the motion. The motion passed 5-0.

Hammerschmidt made a motion to hold the Independence Land Bank meeting on the first Thursday of the month, at noon, to be held at the conference room at City Hall, 120 North 6th Street. Wesselowski seconded the motion. The motion passed 5-0.

Wesselowski made a motion to accept the \$35,000 offer for the purchase of 201 East Main Street. Hammerschmidt seconded the motion. The motion passed 5-0.

Hammerschmidt made a motion to approve the amended “Commercial Development Agreement”. Wesselowski seconded the motion. The motion passed 5-0.

Hammerschmidt made a motion to approve the “Residential Development Agreement”. Wallis seconded the motion. The motion passed 5-0.

Richards made a motion to approve the sale of 705 North Penn to the Independence Housing Authority for \$6000. Hammerschmidt seconded the motion. The motion passed 5-0.

Wesselowski made a motion to approve the sale of 1630 North 10th Street to Brett Hein for the cost to remove the trailer house and yard debris. Richards seconded the motion. The motion passed 5-0.

Hammerschmidt made a motion to approve the “Residential Development Agreement” with Brett Hein for 1630 North 10th Street. Wesselowski seconded the motion. The motion passed 5-0.

Hammerschmidt made a motion to adjourn the meeting. Wallis seconded the motion. The motion passed 5-0.

Respectfully Submitted

Lori Wesselowski
Secretary

April Nutt
Executive Director

MINUTES OF THE MEETING OF THE
INDEPENDENCE HOUSING AUTHORITY

July 16, 2024
Noon

Board Members in Attendance: Darnell Lawrie, Charles Doerr, and Rita Ortolani.
Personnel in Attendance: April Nutt.

The meeting was called to order.

Ortolani made a motion to approve the agenda. Doerr seconded the motion. The motion passed 3-0.

Doerr made a motion to approve the May 21, 2024 minutes. Ortolani seconded the motion. The motion passed 3-0.

Lawrie made a motion to approve the consent agenda. Ortolani seconded the motion. The motion passed 3-0.

Budget Reports: Penn Terrace, Chaney, Earl Street, and Cedar Pointe.

IHA's Net Worth Report.

Bills for approval from April 17, 2024 to July 16, 2024.

Director's Report.

Items Requiring Board Action

Election of officers. –Tabled.

Establishing the date, time and location of monthly meetings. –Tabled.

Doerr made a motion to approve Jefferson Subdivision infrastructure change order #3 in the amount of \$10,000 for the purpose of correcting drainage issues on the south side of the project. Lawrie seconded the motion. The motion passed 3-0.

Executive Session

Communications

Report on Housing Steering Committee

Update on Jefferson Subdivision.

Update on staffing changes.

Review 705 North Penn condition

Discuss the development of Rainbow Drive.

Ortolani made a motion to adjourn the meeting. Doerr seconded the motion. The motion passed 3-0.

INDEPENDENCE RECREATION COMMISSION

Monthly Commission Meeting July 17, 2024

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

Members Present:

Christy Mavers
Greg Kelley
Moises Rivera

Others Present:

Brent Julian
Lori Bromley
Nick McBride
Jim Butts
Galen Palmer

Greg Kelley, Vice-Chair opened the commission meeting at 11:30 a.m. and Chairperson, Christy Mavers, joined by telephone.

ROUTINE

Agenda

Moises Rivera moved to amend the agenda by changing B. IRC Updates and Questions under III. Business/Finance to an Action item. Greg Kelley seconded. Motion carried 3-0.

Minutes

Moises Rivera moved to approve the minutes from the June 26, 2024 fiscal year-end board meeting. Greg Kelley seconded. Motion carried 3-0.

Bills

Moises Rivera moved to approve the July 2024 invoices and checks for payment as presented in the amount of \$14,225 as well as bills and employee benefits paid since the last board meeting in the amount of \$18,083. Greg Kelley seconded. Motion carried 3-0.

Treasurer's Report

Galen Palmer reported the following balances as of June 30, 2024: First Oak Bank -Checking: \$95,380.55; First Oak - Petty Cash: \$500.00; Equity Bank - Savings \$252,188.03. Moises Rivera moved to approve the treasurer's report as presented. Greg Kelley seconded. Motion carried 3-0.

PROGRAMS/OPERATIONS

Maintenance Report

Jim Butts answered any questions the board had on the maintenance report. Moises Rivera stated that he was at the new sports complex on multiple evenings, and it was really good to see all the staff including Director Brent Julian and Sports Director Nick McBride hard at work and the tournaments running smoothly.

Programs Report

Nick McBride answered any questions the board had on the programs report. Christy Mavers asked about the All-star tournaments going on at the new sports complex and Nick stated they are going well. Nick stated the biggest issue they have had this summer is the spectators and parents getting out of line. Nick stated it is usually an issue, but seems very prevalent this year. The board asked about the finances and Nick stated he is charging \$3.00 per admission and Independence residents were not charged the first evening. Nick stated that the 6 on 6 soccer program is continuing to go well and so is the adult flag football.

Director/Aquatics/Special Events Report

Brent Julian answered any questions the board had on the director/aquatics/special events report. Brent informed the commission members that the concession stand at the new Central Park Sports Complex was recently broken into. Brent stated they pushed the window air conditioning unit through the window and entered that way, luckily the AC still works. Brent estimated \$750 in product was missing. Christy asked if there are security cameras installed at the facility, but Brent stated there are not. Greg Kelley stated they have had vandalism at the park as well and the city is looking into providing security cameras to different areas which may include the CPSC.

CONSENT AGENDA

Consent Agenda

Moises Rivera moved to approve the consent agenda items A-F as presented. Greg Kelley seconded. Motion carried 3-0.

BUSINESS/FINANCE

Lifeguard Payback Program

Brent explained the lifeguard payback program that he implemented a few years ago that gives the lifeguards at Riverside Beach an incentive to work more hours to receive a \$100 bonus at the end of the season. Brent stated that the two-year certification class costs the guards \$150.00, and this is a way for them to make some of that money back. Brent stated he would meet with the managers at the end of the summer to see who received good evaluations and was willing to work at least 55% of the hours offered to determine who receives the bonus. Moises Rivera moved to approve the continuation of the lifeguard payback program. Greg Kelley seconded. Motion carried 3-0.

IRC Updates & Questions

Brent reminded the board members that the Ash Youth Center is getting the gym floor resurfaced and the paint touched up in August for approximately \$2,000. Brent stated that IRC gets a discount since the school district is getting theirs done at the same time. Brent informed the board that he has been looking into a digital board for in front of the Ash Center and the cost is approximately \$30,000-\$35,000. Christy asked if he had checked on a nicer sign than what's out there now, even if it is not digital and Brent stated he will look into that next. Brent stated another thing on the to-do list is to do something about the epoxy on the restroom floors that are chipping and are starting to look pretty bad. Brent stated that they were done several years ago but need to be done again. Brent stated he may try to do it himself, however Greg Kelley stated that all the old epoxies must be ground off first, and it's a heck of a job. Greg stated it can be expensive to hire a professional to do it as well, but he has the name of a company that specializes in epoxy, and he will get Brent their contact information. Brent informed that board that lastly, he is requesting to move all teenage workers up to the minimum wage of \$7.25 per hour. Brent stated that this would mostly affect the 14- and 15-year-old concession workers and safety guards. Brent stated that IRC has paid Kansas minimum wage of \$6.50 for these workers for several years and feels it is time to bump everyone up, and board unanimously agreed. Moises Rivera moved to approve the wage increase of all workers regardless of age to at least \$7.25 per hour. Greg Kelley seconded. Motion carried 3-0.

Setting of Budget and RNR Hearing

Brent recommended having the budget and RNR hearing during the September 18, 2024 board meeting. Brent stated that by doing it that way the RNR Hearing, and the Budget Hearing can be done at the same time preventing the need for two meetings in one month. Brent stated he will get that meeting posted in the newspaper to give plenty of time for any questions that may arise, however IRC is not raising any mills and will stay at 4 and 1 again this year, Brent stated IRC will go with the assessed evaluation which is projected to increase some. Moises Rivera moved to approve holding the Budget and RNR hearing on September 18, 2024 at 11:30 a.m. Greg Kelley seconded. Motion carried 3-0.

EXECUTIVE SESSION

There was no need for an executive session.

ITEMS FROM THE COMMISSION

Greg Kelley *Asked about the cost of postage for IRC. Lori stated postage is approximately \$100 per month and the postage meter lease fees are \$195.00 quarterly through Pitney Bowes.

Moises Rivera filled in as acting secretary in Joe Housel's absence.

ADJOURNMENT

The meeting was adjourned at 12:20 p.m.

Respectfully Submitted,

Moises Rivera
Acting Secretary