

Minutes of the City Commission's November 21, 2024 Meeting

I. REGULAR SESSION

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

City Staff Present: Kelly Passauer, City Manager; David Cowan, Assistant City Manager; Jeff Chubb, City Attorney; David Schwenker, City Clerk/City Treasurer; John Garriss, City Engineer/Director of Public Works and Utilities; Shawn Wallis, Fire Chief; April Nutt, Director of Housing Authority; Jordan Bagley, IT Technician Coordinator and Lacey Lies, Finance Director.

Visitors Present: Sheri Garriss, Breanne Sanford and Paula Schabel.

A. Call to Order

Mayor Emert called the meeting to order.

B. Pledge of Allegiance to the United States of America

C. Adoption of Agenda

Motion:

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

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

II. CONSENT AGENDA

Motion:

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

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

A. Consider authorizing Main Street Bucks as an Employee Appreciation Bonus.

The City of Independence would like to show appreciation to the dedicated staff by authorizing a bonus for each full-time regular employee in the form of Main Street Bucks to be utilized at numerous establishments in the

community. The suggested amount is \$125 in Main Street Bucks for each full-time employee.

Suggested Motion:

I move to authorize \$125 in Main Street Bucks to City employees as an Employee Appreciation Bonus.

- B. Consider adopting a resolution modifying the Sewer Cost Share Eligibility Requirements to encourage rehabilitation of vacant housing.

Recently, a potential developer met with the City Manager and Housing Authority Director regarding redeveloping one or more of the Land Bank properties. The developer inquired about the sewer cost share grant. However, according to the eligibility requirements, he would not be eligible because the property is not occupied or currently served by City utilities.

At the request of the City Manager, the Economic Development Advisory Board met to discuss and consider adding an exception for a property owner who is rehabilitating a vacant property, as long as any delinquent account on that property was not caused by the property owner requesting the exception and all property taxes are current, or any other eligibility criteria deemed necessary. The board voted unanimously to recommend to the Commission adding the following language to section 1.2 (5)

Exception to #2 and #3 for bona fide developers rehabilitating a vacant home that has not had utilities for at least one year may participate at the 50% level up to a maximum of \$2,000 per property.

Definition of a Bona Fide Developer -- A bona fide developer is defined as an individual or entity actively engaged in the business of real estate development, with the intent to construct, improve, or rehabilitate residential, commercial, industrial, or mixed-use properties for sale or lease. The developer must demonstrate a track record of similar development projects or provide a business plan that shows the intent and ability to complete the proposed project. The purpose of this definition is to ensure that the developer is legitimately involved in substantial property development rather than merely holding or transferring property.

This recommended program modification meets the Commission's goal of encouraging housing redevelopment.

Suggested Motion:

I move to adopt Resolution 2024-039, amending the Sewer Cost Share Program to encourage rehabilitation of vacant housing.

III. ITEMS FOR COMMISSION ACTION

- A. Consider adopting an ordinance authorizing the issuance of the City's Taxable Industrial Revenue Bonds, series 2024 (Textron Aviation Inc.), authorizing certain documents and actions in connection with the issuance of the Series 2024 Bonds.

The City of Independence, Kansas (the "City" or "Issuer") is authorized by K.S.A. 12-1740 *et seq.*, and K.S.A. 10-116a, all as amended (the "Act"), to acquire, renovate and equip certain facilities (as defined in the Act) for commercial, industrial and manufacturing purposes, and to enter into leases and lease-purchase agreements with any person, firm or corporation for said facilities, and to issue revenue bonds for the purpose of paying the cost of any such facilities and to refund such revenue bonds previously issued; and pursuant to Resolution Nos. 5-07, 2000-36, 2004-29, 2006-62, and 2013-09 the City has heretofore found and determined that it is desirable in order to promote, stimulate and develop the general economic welfare and prosperity of the City and the State of Kansas that the City issue, in one or more series, its taxable industrial revenue bonds for the purpose of purchasing, acquiring, constructing and installing certain industrial and commercial facilities for the production of single engine piston and jet aircraft (the "Facility"), said Facility to be leased by the City to Textron Aviation Inc., successor by merger to Cessna Aircraft Company, a Kansas corporation, its successor and assigns (the "Compnay"); and pursuant to such authorization, the City has heretofore issued twenty series of its taxable industrial revenue bonds in the aggregate principal amount of \$127,682,705; and

The City does hereby find and determine that it is desirable to issue an additional series of bonds under the authorization granted by above described resolutions, such bonds to be designated its Taxable Industrial Revenue Bonds, Series 2024 (Textron Aviation Inc.) in the aggregate principal amount not to exceed \$4,650,000 (the "Series 2024 Bonds") for the purpose of purchasing, acquiring, constructing and installing certain equipment, tooling and improvements at the Facility (the "2024 Project Additions").

The Ordinance to be considered by the City Commission authorizes the issuance of the Series 2024 Bonds; (1) to execute and deliver the Twentieth Supplemental Trust Indenture for the purpose of issuing and securing the Series 2023 Bonds and (2) to enter into the Twenty-First Supplemental Lease pursuant to which the City shall cause the 2024 Project Additions to be leased to the Company in consideration of payments of Supplemental Basic Rent, Supplemental Additional Rent and other charges provided for therein.

Motion:

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

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approved an ordinance authorizing the issuance of the City's Taxable Industrial Revenue Bonds Series 2024 (Textron Aviation Inc.), authorizing certain documents and actions in connection with the issuance of the Series 2024 Bonds.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

IV. REPORTS

A. City Board Minutes

- 1. September 3, 2024 Planning and Zoning Commission/Board of Zoning Appeals Minutes.**
- 2. October 1, 2024 Planning and Zoning Commission/Board of Zoning Appeals Minutes.**

B. Projects and Public Works Reports

Engineer Garris presented the report.

V. CITY MANAGER'S COMMENTS

City Manager Passauer reminded the Commission that a retirement party for Ed Sykes will be Monday November 25th from 4 - 5 pm in the City Clerks office, the MCAC Quarterly Board meeting is tonight at 5:30 pm, the Holiday parade will be on November 24th at 5:30 pm, the retirement party for Shawn Wallis will be on December 2nd from 4 - 5:30 pm at the Civic Center Gallery, the City Awards Banquet will be held on December 13th beginning at noon and City Hall will be closed on November 28th - 29th for the Thanksgiving holiday.

VI. COMMISSIONERS' COMMENTS

Commissioner Hayse would like to see action on houses that are not connected to any utilities.

VII. PUBLIC CONCERNS

None.

VIII. EXECUTIVE SESSION

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A. Personnel matters of non-elected personnel.

Motion:

On the motion of Tim Emert, seconded by Dean Hayse, the Commission recessed for an executive session for discussion of an employee performance pursuant to the non-elected personnel exception, KSA 75-4319(b)(1). The open meeting will resume at 4:40 p.m.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

The open meeting resumed at 4:40 p.m. with no action taken.

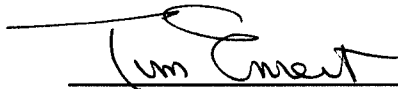
IX. ADJOURNMENT

Motion:

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

Aye: Tim Emert, Dean Hayse, Scott Smith

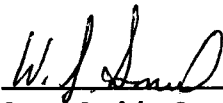
Nay: None



Tim Emert, Mayor



Dean A. Hayse, Commissioner



Scott Smith, Commissioner

Attest:



City Clerk/Treasurer