

INDEPENDENCE CITY COMMISSION

REGULAR SESSION AGENDA

January 9, 2025

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. OLD BUSINESS

- A. Consider approving the minutes of the December 12, 19 and 23, 2024 regular and special Commission meetings.
- B. Consider appointing an inside City position on the Planning Commission.
- C. Consider reappointing members of the Economic Development Advisory Board.

III. NEW BUSINESS

- A. Reorganization of the Commission
 - 1. Election of Mayor
 - 2. Election of Vice Mayor
 - 3. Designation of Official City Newspaper
 - 4. Designation of Official City Depository
 - 5. Consider changing the day of week and time for Commission meetings
- B. Orientation by the City Attorney

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 approval of cleaning services for City Hall and the Incubator leased space.
- B. Consider Authorizing Submission of Airport Grant Requests to KDOT.
- C. Consider authorizing award of the annual concrete patching bid.
- D. Consider authorizing an agreement with Shift-S3ector, LLC to hold a racing event at Independence Municipal Airport.

V. PUBLIC HEARINGS

- A. Public Hearing to consider the condemnation of 1204 W. Myrtle Street as dangerous and unsafe
- B. Public Hearing to consider the condemnation of 1309 W. Myrtle Street as dangerous and unsafe.
- C. Public Hearing to consider the condemnation of 1123 W. Main Street as dangerous and unsafe.
- D. Public Hearing to consider the condemnation of 1113 W. Main Street as dangerous and unsafe.

- E. Public Hearing to consider the condemnation of 601 S. Wald Avenue as dangerous and unsafe.
- F. Public Hearing to consider the condemnation of 820 W. Cottonwood Street as dangerous and unsafe
- G. Public Hearing to consider the condemnation of 512 S. 16th Street as dangerous and unsafe.

VI. ITEMS FOR COMMISSION ACTION

- A. Consider proclaiming January 19, 2025 as Dr. Martin Luther King, Jr. Commemoration Day, and consider funding the recording and live-streaming of the program.
- B. Consider Authorizing a Sale Resolution for the Issuance of 2025 Taxable General Obligation Bonds.
- C. Consider adopting a resolution implementing the 2025 Pay Plan.
- D. Consider adopting a resolution setting a public hearing for the adoption of a Neighborhood Revitalization Plan pursuant to K.S.A. 12-17,114 et seq., and providing notice thereof.

VII. REPORTS

- A. City Board Minutes
- B. Approval of Bids for CDBG Work on the Bookstore Building.

VIII. CITY MANAGER'S COMMENTS

IX. COMMISSIONERS' COMMENTS

X. PUBLIC CONCERNS

XI. ADJOURNMENT



REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
January 9, 2025

Department Admin

Director Approval David Schwenker

AGENDA ITEM Consider approving the minutes of the December 12, 19 and 23, 2024 regular and special Commission meetings.

SUMMARY RECOMMENDATION Approve the minutes.

BACKGROUND

FINANCIAL INFORMATION

SUGGESTED MOTION I move to approve the minutes of the December 12th, 19th and 23rd, 2024 regular and special Commission meetings.

SUPPORTING DOCUMENTS

1. December 12 2024 Special Meeting Minutes
2. December 12 2024 Minutes
3. December 19 2024 Minutes
4. December 23 2024 Special Meeting Minutes

Minutes of the City Commission's December 12, 2024 Meeting

I. SPECIAL 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; Lacey Lies, Finance Director and David Schwenker, City Clerk/City Treasurer.

Visitors Present: None.

A. Call to Order

Mayor Emert called the meeting to order.

II. EXECUTIVE SESSION

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

Motion:

On the motion of Tim Emert, seconded by Scott Smith the Commission recessed for an executive session concerning confidential data relating to financial affairs and/or trade secrets of a company pursuant to the exception found at K.S.A. 75-4319(b)(4). The open meeting will resume at 4:30 p.m. in the Commission Room of City Hall.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

The open meeting resumed at 4:30 p.m. with no action taken.

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

Motion:

On the motion of Tim Emert, seconded by Dean Hayse the Commission recessed for an executive session for consultation with an attorney representing the City regarding a legal issue pursuant to the attorney/client privilege exception found at KSA 75-4319(b)(2). The open meeting will resume at 4:51 p.m. in the Commission Room of City Hall.

Aye: Tim Emert, Dean Hayse, Scott Smith

Minutes of the City Commission's December 12, 2024 Meeting

Nay: None

The open meeting resumed at 4:51 p.m. with no action taken.

III. ADJOURNMENT

Motion:

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

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

Tim Emert, Mayor

Dean A. Hayse, Commissioner

Scott Smith, Commissioner

Attest:

City Clerk/Treasurer

Minutes of the City Commission's December 12, 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; Dustin Stafford, Chief of Police; Lacey Lies, Finance Director; April Nutt, Director of Housing Authority and Matt Wright, Police Officer.

Visitors Present: Larry McHugh, Breanne Sanford and Sheri Garriss.

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

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

II. APPOINTMENTS

A. Consider reappointing Gary Hogsett and Brett Richards to the Independence Historic Preservation and Resource Commission (IHPRC).

Gary Hogsett was appointed to the IHPRC on June 9, 2022 to serve a partial term due to a resignation. Brett Richards was appointed to the IHPRC on January 11, 2024 to serve a partial term due to a resignation. They are both willing to serve a first full term.

Minutes of the City Commission's December 12, 2024 Meeting

Historic Preservation Resource Commission (Certified Local Government) (3 year terms -- 7 members)			
Members	Term	Expires	Appointed/Eligible
Bill Gour	2nd term	1/1/2027	Appointed 1/14/20
Darin Axthelm (History Major)	2nd term	1/1/2027	Appointed 1/14/20
Breanna Sanford (History and Anthropology)	1st term*	1/1/2026	Appointed 06/09/20
Tim White	1st term*	1/1/2027	Appointed 08/11/20
Gary Hogsett (Engineer)	Unexpired	1/1/2025	Appointed 06/09/20
Jason Rutledge	1st term*	1/1/2026	Appointed 08/11/20
Brett Richards	Unexpired	1/1/2025	Appointed 01/11/20
*Previously served an unexpired term.			
Meeting Place: Memorial Hall			
Meeting Date: Last Monday			
Meeting Time: 12 p.m.			

Motion:

On the motion of Scott Smith, seconded by Dean Hayse, the Commission reappointed Gary Hogsett and Brett Richards to the IHRPC for a 1st full term expiring on January 1, 2028.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

- B. Consider reappointing Rita Ortolani to an inside City position on the Planning Commission/Board of Zoning Appeals.

Rita Ortolani was appointed to the Planning Commission on January 11, 2024 to serve a partial term due to a resignation. She is willing to be reappointed and serve a first full term. Kym Kays does not wish to be reappointed, and Mary Jo (Dancer) has served two full terms and is ineligible for reappointment unless we receive no applications. Members with expired terms continue to serve until they are replaced. We are receiving applications to fill these vacancies until noon on January 2, 2025. [Click here for more information.](#)

Minutes of the City Commission's December 12, 2024 Meeting

PLANNING & ZONING COMMISSION (3 year terms – 9 members)			
Members	Term	Expires	Appointed
Mary Jo (Dancer) Meier	2nd term*	January 1, 2025	
Butch Holum	Unexpired	January 1, 2026	January 11, 2024
Kym Kays** Secretary	Unexpired	January 1, 2025	January 11, 2024
Rita Ortolani	Unexpired	January 1, 2025	January 11, 2024
Gary Hogsett**	1st term	January 1, 2027	January 11, 2024
Michelle Avery	2nd term*	January 1, 2027	June 28, 2018 January 11, 2024
Tim Haynes	1st term*	January 1, 2027	February 24, 2022 January 11, 2024
Lisa Richard Vice Chair	2nd term*	January 1, 2026	August 8, 2019 December 19, 2019
Rachel Lyon Chair	2nd term	January 1, 2026	May 14, 2020
*Served an unexpired term.			
**Outside City Appointment. Not on Board of Zoning Appeals.			
Meeting Place: Commission Room, City Hall			
Meeting Date: First Tuesday			
Meeting Time: 5:30 p.m.			

Motion:

On the motion of Dean Hayse, seconded by Scott Smith, the Commission reappointed Rita Ortolani to the Planning Commission/Board of Zoning Appeals for a 1st full term expiring on January 1, 2028.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

III. CONSENT AGENDA

Motion:

On the motion of Scott Smith, seconded by Dean Hayse, the Commission approved the Consent Agenda.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

Minutes of the City Commission's December 12, 2024 Meeting

- A. Consider approving the minutes from the November 14th and 21st, 2024 Special and Regular Commission meetings.

Suggested Motion:

I move to approve the minutes from the November 14th and 21st, 2024 Special and Regular Commission meetings.

- B. Consider approval of a streetlight at 116 S. 23rd Street.

City staff was contacted by Melissa Small, Chair of the AWOL Board, regarding the lighting conditions outside the AWOL facility at 116 S. 23rd Street. Currently, there are no streetlights on S. 23rd Street near AWOL. With the end of daylight savings, the area outside the facility is now dark, raising concerns about safety for both volunteers and visitors.

To address this issue, the City reached out to Kari West at Evergy. Adding a high-intensity LED streetlight would cost an additional \$25.16 per month, bringing the City's streetlight bill—which was \$13,823.57 in October 2024—to reflect this increase.

Additionally, the City has installed a dawn-to-dusk floodlight at the front entrance of AWOL to enhance visibility and improve safety at the facility's entrance.

Suggested Motion:

I move to approve the addition of a streetlight at 116 S. 23rd by the AWOL facility.

- C. Consider authorizing the Mayor to sign the 2024 Tree City USA Application for Certification.

On February 25th, 2016 the City Commission approved Ordinance # 4214 creating a Tree Board to honor the City's rich history of enjoying and preserving local natural resources, and to promote and protect 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.

The attached application completes the certification for the 2024 calendar year.

Suggested Motion:

I move to approve the Mayor to sign the Tree City USA Applications for Certification for 2024.

- D. Consider approving the Independence Municipal Airport's DBE program Policy Statement.

The FAA recently updated the requirements pertaining to federal funding covered under 49 CFR Part 26. The recent changes require all airports to update their DBE Programs and submit the update to the FAA for approval. Our consultant has been working on the updates to Independence Municipal Airport's DBE Program. With the submission of the updated program, we are required to submit a signed Policy Statement.

The Policy Statement states that the airport has established a DBE program and will comply with the requirements of 49 CFR Part 26 as it pertains to Federal Financial Assistance. The Policy Statement is required to be signed by the Mayor.

Suggested Motion:

I move to approve the Independence Municipal Airport's DBE program Policy Statement and to execute any necessary documents, pending City Attorney review and approval.

- E. Consider approving bidding for a replacement sewage grinder.

The wastewater treatment plant sewage grinding pump has failed. The impact to the process is that solid, non-biological material ("trash") can flow through the screens, and the screens can clog requiring hours of effort to clean. A grinder was a part of the basic design, and although the plant can operate with only the screen for a period of time, it is not recommended as it has impacts on the process and final output products.

Based on the evaluation of plant personnel, a design using monolithic cutter heads is preferred for maintenance consideration, and the bid document reflects that specification.

Bids would be opened on Thursday, January 9, 2025 and brought to the Commission for approval should a qualified bid be received at a later meeting.

Suggested Motion:

I move to approve bidding for a replacement sewage grinder.

IV. PUBLIC HEARINGS

- A. Public Hearing to consider condemnation of 512 W. Myrtle Street as dangerous and unsafe.

The structure at 512 W. Myrtle Street was identified as vacant and open through complaints and utility records. The property is owned by Chris Hastings and is in the process of being sold to Chris Bridgeman, who intends to secure a loan and complete repairs on the structure.

City staff have identified several issues with the property, including roof damage, deteriorating siding, a large hole on the west side of the structure, and open windows and soffits. The utilities at the structure have been off since April 2013. Chris Bridgeman has been in contact with City staff and has been informed of the requirement to present a detailed timeline of repairs for review by staff and the City Commission.

City staff recommend proceeding with condemnation if the owner fails to provide an acceptable timeline for repairs.

Chris Bridgeman addressed the Commission.

Motion:

On the motion of Dean Hayse, seconded by Scott Smith, the Commission adjourned the Public Hearing until June 26th, 2025 based on the owner's provided timeline for repairs.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

- B. Public Hearing to consider condemnation of 212 S. Earl Street as dangerous and unsafe.

The residence at 212 S. Earl sustained significant damage in a structure fire on October 17, 2024. The property owner has been cooperative with the City of Independence, and the structure was insured. However, due to its current condition, the structure is considered hazardous. City staff have been working diligently to facilitate its immediate removal.

The City received multiple quotes for the demolition, with JRB Industries submitting the lowest quote, \$6,250.00. Insurance proceeds have been

received to cover the cost of the removal.

Staff recommends adjourning the hearing until January 23, 2024, to allow sufficient time for the lot to be cleared. At that time, staff will return to recommend rescinding the condemnation and refunding any unused insurance proceeds.

Motion:

On the motion of Scott Smith, seconded by Dean Hayse, the Commission adjourned the Public Hearing to consider the condemnation of 212 S. Earl to December 19, 2024, at 5:30 pm.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

- C. Public Hearing to consider the condemnation of 208 S. 16th Street as dangerous and unsafe.

The City of Independence has received numerous complaints regarding multiple houses in the 200 block of S. 16th Street. The residence at 208 S. 16th Street has been vacant since 2019 and is currently owned by Donnelly Properties LLC of Cherryvale, Kansas. The property last had utility services in February 2019 and was subsequently sold at a tax sale.

The City has been in contact with Donnelly Properties to explain the condemnation process and the requirements for making the residence habitable within a 12-month period. Donnelly Properties was also advised to provide staff with a detailed timeline of the proposed repairs.

Justin Donnelly addressed the Commission.

Motion:

On the motion of Dean Hayse, seconded by Scott Smith, the Commission adjourned the condemnation until, June 26, 2025, giving Donnelly Properties, LLC time to rehabilitate the structure as requested by their timeline.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

- D. Public Hearing to consider the condemnation of 224 S. Earl Street as dangerous and unsafe

The structure at 224 S. Earl last had active utility services in February 2001. It

was identified as a concern through utility records and public complaints. The property owner has contacted the City and expressed interest in donating the structure to the Landbank.

City staff have identified significant issues with the property, including holes in the roof and foundation concerns. However, the condition of the interior remains unknown, and the length of time the interior has been exposed to rain due to the damaged roof is unknown.

Staff recommends condemning it as dangerous and unsafe if the Landbank has no interest in the structure.

Motion:

On the motion of Scott Smith, seconded by Dean Hayse, the Commission condemned 224 S. Earl Street as dangerous and unsafe.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

- E. Public Hearing to consider the condemnation of 205 S. 16th Street as dangerous and unsafe.

The structure at 205 S. 16th was identified by multiple complaints and utility records. The structure last had utilities in April 2019. The City has sent notices to the owner of record without response. The complaints regarding the structure have been related to no maintenance or upkeep and the issue of transients and activity at the residence. The City requested an O&E report that shows delinquency since 2016.

Motion:

On the motion of Dean Hayse, seconded by Scott Smith, the Commission condemned 205 S. 16th Street as dangerous and unsafe.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

- F. Public Hearing to consider condemnation of 225 S. 16th Street as dangerous and unsafe.

City staff became aware of this structure due to a lack of utility services and complaints from neighbors. The property last had active utilities in March 2019, and the City has performed abatement actions at this location related to junk accumulation.

In 2019, the structure was deemed unfit for habitation of children and has remained vacant since that time. The property owner is now deceased, and the Ownership and Encumbrance (O&E) report indicates delinquent payments dating back to 2019. All notices mailed to the owner have been returned to the City as undeliverable.

Motion:

On the motion of Scott Smith, seconded by Dean Hayse, the Commission condemned 225 S. 16th Street as dangerous and unsafe.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

- G. Public Hearing to consider the condemnation of 314 N. 5th Street as dangerous and unsafe.**

The property at 314 N. 5th came to the City's attention through complaints and a lack of utility services since February 2016. The property owners have been in contact with City staff and have expressed their intention to provide the City Commission with a timeline for repairing the structure. City staff noted the condition of the siding, roof, and porch on the structure. The owner does not believe they have any leaks inside the house at this time.

City Staff recommends accepting a timeline of repairs if presented by the owners.

Eric addressed the Commission.

Motion:

On the motion of Dean Hayse, seconded by Scott Smith, the Commission accepted the timeline of repairs for 314 N. 5th Street and adjourned the meeting to June 26, 2025.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

- H. Public Hearing to consider condemnation of 620 W. Chestnut Street as dangerous and unsafe.**

The structure at 620 W. Chestnut experienced a basement foundation failure in June 2023, rendering the property uninhabitable and forcing the tenants to vacate. The property is owned by Divine Equity Consultants, LLC, based in

Minutes of the City Commission's December 12, 2024 Meeting

Roseville, California.

Divine Equity Consultants has contracted JoyCo. Property Management to rehabilitate the structure and restore its habitability. JoyCo. has submitted an action plan for the property to the City for review.

The staff recommendation is to adjourn the Public Hearing and accept the action plan with the understanding that we usually recommend a 12-month timeline unless unforeseen issues occur during the rehabilitation.

Chris Hemelwork addressed the Commission

Motion:

On the motion of Scott Smith, seconded by Dean Hayse, the Commission adjourned the Public Hearing of 620 W. Chestnut Street until June 26, 2025 at 5:30 PM.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

- I. **Public Hearing to consider the condemnation of 201 S. 16th Street as dangerous and unsafe.**

The City has received multiple complaints regarding the structure at 201 S. 16th, which has been vacant since 2021 and without utility services since May 2021. The structure has a failed roof, broken windows, and is unsecured. Complaints indicate that it is frequently occupied by homeless and transient individuals.

The City has not received any communication from the owner, Oakland Park LLC, nor have any mailed notices been returned.

City staff recommend condemning the property as a dangerous and unsafe structure.

Motion:

On the motion of Dean Hayse, seconded by Scott Smith, the Commission condemned 201 S. 16th Street as dangerous and unsafe.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

Minutes of the City Commission's December 12, 2024 Meeting

- J. Public Hearing to consider the condemnation of 604 N. 16th Street as dangerous and unsafe.

The structure at 604 N. 16th was identified as a concern due to a lack of utility services and neighborhood complaints. The property last had active utilities in 2010. The owner, Kansas Equity Consultant Pros of Salida, California, has not responded to the City's letters regarding the condition of the structure. The property has a mortgage through Kansas Teachers Credit Union and was previously sold at a tax sale.

City staff recommend proceeding with condemnation unless the owner provides an acceptable timeline for repairs.

Motion:

On the motion of Scott Smith, seconded by Dean Hayse, the Commission condemned 604 N. 16th as dangerous and unsafe.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

- K. Public hearing to consider amending the 2024 Budgets.

The following budgets are recommended to be amended for the following:

- 1. Industrial Fund – To show the 2023 invoice that was paid in 2024.**
- 2. Economic Development Fund – To show the purchase of land for economic development purposes.**
- 3. Education Sales Tax – To show the over-collection and subsequent pass through to USD 446 of 1% sales tax dollars.**
- 4. Special Use Sales Tax – To show the over-collection and subsequent pass through to appropriate Funds of 1% sales tax dollars.**
- 5. QOL Sales Tax – To show the close out of remaining funds transferred to the City Projects Fund for use on the Central Park Sports Complex QOL project.**
- 6. Liability Insurance – To show an additional \$2,225 in expenses underestimated at budget time.**
- 7. Bond & Interest – To account for interest payment amounts not known at the time the budget was adopted (for interest payments for the 2023 and 2024 Temporary Notes)**
- 8. General Fund – In August, we adopted an ordinance eliminating our Employee Benefits Fund. This amendment shows revenue for the remaining cash in the Employee Benefit Fund being transferred to the**

General Fund, as well as the remaining unspent budget authority in the Employee Benefit Fund being transferred to the General Fund.

NOTE: Due to an error in the publication, this public hearing must be rescheduled, and a new notification must be published in the official newspaper. The hearing must be held before the end of the year. The public hearing will be rescheduled for a Special Commission meeting on Monday, December 23, 2024 at 9 AM. Please note that there is a Special Commission meeting scheduled for December 18, 2024 at 9 AM that the Commission may wish to cancel.

Motion:

On the motion of Dean Hayse, seconded by Scott Smith, the Commission rescheduled the December 12, 2024 Public Hearing to consider amending the 2024 budgets to December 23, 2024 at 9 AM, due to a publication error and also cancel the December 18, 2024 Special Commission Meeting.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

V. ITEMS FOR COMMISSION ACTION

- A. Consider adopting an ordinance rezoning a lot located at 3100 Cessna Boulevard from M-1, light industrial to M-2, heavy industrial.**

The applicant, Daniel Thorenson of Thorenson Enterprises LLC, submitted a request to rezone a 5-acre vacant parcel located at 3100 Cessna Boulevard to M-2 (Heavy Industrial). The site, located within the Independence Municipal Airport area, is currently zoned M-1 (Light Industrial) and is leased from the City of Independence. The rezoning is required to construct a test cell for jet aircraft engines.

The Planning Commission conducted a public hearing on November 12, 2024, with proper public notice provided. Based on a comprehensive review, including criteria outlined in Sec. 2-101 of the Zoning Code, the Planning Commission found the rezoning consistent with the Comprehensive Plan and recommended approval to the City Commission.

Key Considerations:

- 1. Character of the Neighborhood: The area is predominantly industrial and located within the airport's vicinity.**

2. **Adjacent Zoning and Uses:** Properties to the east, west, and south are also zoned M-1. The property to the north is zoned County Agricultural.
3. **Suitability for Heavy Industrial Use:** The site's distance from residential areas and proximity to the airport makes it suitable for M-2 zoning and the proposed use.
4. **Impact on Nearby Properties:** Minimal impact is anticipated due to the industrial nature of surrounding properties and distance from residential zones.
5. **Infrastructure and Services:** Adequate utilities and services are available to support the proposed heavy industrial use.

Daniel Thorenson addressed the Commission.

Motion:

On the motion of Scott Smith, seconded by Dean Hayse, the Commission adopted an ordinance rezoning the property located at 3100 Cessna Boulevard from M-1 (Light Industrial) to M-2 (Heavy Industrial), as recommended by the Planning Commission.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

- B. Consider adopting a resolution for a conditional use permit for a short term rental (AirBnB) at 940 Crescent Drive.

The applicants seek a conditional use permit to operate a short term rental (Airbnb) at their single-family residence. Short term rentals are conditionally permitted in R-3 Residential Districts to ensure compatibility with the surrounding neighborhood and mitigate potential adverse impacts.

Key Considerations:

1. **Compatibility:** The property is located in a neighborhood of single-family homes. Properly managed short term rental use can be compatible if conditions are enforced to maintain residential character.
2. **Neighborhood Impact:** Minimal impact is anticipated if guest noise and parking are properly controlled. The proposal includes sufficient on-site, hard-surfaced parking to avoid street congestion.
3. **Code Compliance:** The applicants must comply with all applicable building, fire, and safety codes.

- 4. Community Feedback:** There were no public comments at the public hearing.

Shawn and Trisha Couch addressed the Commission.

Motion:

On the motion of Dean Hayse, seconded by Scott Smith, the Commission adopted the resolution authorizing a conditional use permit for a short-term rental located at 940 Crescent Drive as recommended by the Planning and Zoning Commission, and subject to the conditions specified in the resolution.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

- C. Consider adopting Ordinance No. 4474 vacating property not served by City water and/or sanitary sewer services.

City staff recommends that the City Commission adopt Ordinance 4474, granting authority to City officials to enforce sanitary living conditions in residences and requiring residents to vacate properties that lack water and sewer services. Code Enforcement has observed an ongoing issue with squatters, owners, and/or tenants living without essential utilities, creating significant public health and safety hazards. These include improper disposal or storage of human waste, unsanitary living conditions, and infestations of rodents and insects resulting from these conditions.

Motion:

On the motion of Scott Smith, seconded by Dean Hayse, the Commission adopted Ordinance 4474 to enforce sanitary living conditions in residences.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

- D. Consider adopting a Resolution authorizing the abatement of unhealthy and unsafe exterior conditions at 1201 W. Pine Street.

The Code Enforcement Department is requesting approval of a resolution to abate a nuisance at 1201 W. Pine Street. Despite multiple notices issued for nuisance violations, the Code Enforcement Officer has been addressing ongoing issues at this location since November 2023.

The property is currently occupied by multiple individuals, and while contact

was made with Wesley Markley, efforts to resolve the nuisance have been unsuccessful. Furthermore, the residence lacks City utilities and water service, which exacerbates the situation. Approval of the resolution is necessary to effectively address and abate the violations at this property.

Motion:

On the motion of Scott Smith, seconded by Dean Hayse, the Commission adopted Resolution 2024-050 authorizing the abatement of unhealthy and unsafe exterior conditions at 1201 W. Pine Street.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

VI. REPORTS

- A. Report on receiving the Tenant Based Rental Assistance Grant from the Kansas Housing Resources Corporation.**

The Independence Housing Authority (IHA) submitted a Tenant Based Rental Assistance (TBRA) Grant to Kansas Housing Resources Corporation (KHRC). KHRC awarded a TBRA grant in the amount of \$120,000 for the purpose of assisting low-income Independence community members with their rent. These funds should assist between 25 to 35 families over the next 12 months with their rent.

April Nutt presented the report.

- B. City Board Minutes**

- 1. October 3, 2024 Independence Historic Preservation Resource Commission Minutes.**
- 2. November 20, 2024 Public Library Board of Trustees Minutes.**
- 3. November 20, 2024 Independence USD #446 Recreation Commission Minutes**

VII. CITY MANAGER'S COMMENTS

Minutes of the City Commission's December 12, 2024 Meeting

City Manager Passauer reminded the Commissioners about the Employee Appreciation dinner scheduled for tomorrow.

VIII. COMMISSIONERS' COMMENTS

Commissioner Hayse read a prepared statement that follows,

"Vacant, abandoned and deteriorating buildings pose significant costs to public health, property values, local taxpayers and more. Failure to address these buildings, just like ignoring a service engine soon light, costs more in the long run and causes more harm over time. These buildings frequently create dangerous and unsafe conditions in our neighborhoods. They are frequently an invitation to squatters, to vandals and to other criminal activity. They are much more likely to catch fire and call upon our first responders. These buildings reduce the value of surrounding properties leading to loss of owners' equity and of tax base. The criminal damage and fire damage contribute to higher insurance rates. The City incurs the cost of remedying these nuisance and unsafe properties, but frequently the costs of demolition, abatement and maintenance costs go unreimbursed by the building owners. I have asked you before to consider what the City can do to intervene earlier on these buildings to stop letting them continue to rot away, to stop the damage to the neighboring property and to stop the domino effect of dilapidation and decay. After identifying over 300 vacant buildings last March, we are now ready to condemn about 27 of them. We hope we can get that done for \$100,000 or less. But we really need to do twice that many! Where does the money come from? I'm suggesting to you that based on the vacancy information you can develop the City should charge a vacant, abandoned and deteriorating fee to these buildings as soon as they become vacant prior to significant impact from dilapidation. The fee will help cover the cost of these additional demolitions and unreimbursed costs. This is much fairer to me than raising property taxes. Collect the funds that are needed for the City's efforts from the people who are most responsible for the abandonment. Let the owners of vacant, abandoned and deteriorating buildings know we do not want these buildings continue to rot."

He also wanted to congratulate Public Works for taking down the flashing traffic signals downtown.

IX. PUBLIC CONCERNS

Patrick Burton wanted to let the Commissioners know that he is trying to develop a 20 to 30 tiny home community in Independence.

Minutes of the City Commission's December 12, 2024 Meeting

X. ADJOURNMENT

Motion:

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

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

Tim Emert, Mayor

Dean A. Hayse, Commissioner

Scott Smith, Commissioner

Attest:

City Clerk/Treasurer

Minutes of the City Commission's December 19, 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; Cole Hoffmeister, City Attorney; David Schwenker, City Clerk/City Treasurer; Aaron Cook, Fire Chief; April Nutt, Director of Housing Authority; Dustin Stafford, Chief of Police; Dustin Burdett, Police Officer and Lacey Lies, Finance Director.

Visitors Present: Larry McHugh, Breanne Sanford, Chris Canales and Cristy Campbell.

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 amended the agenda so that the Executive Session for consultation with an attorney on matters that would be deemed privileged in an attorney-client relationship is before the Public Hearings and after the Consent Agenda, and removed the Executive Session for data relating to financial affairs or trade secrets of second parties from the agenda.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

II. PRESENTATIONS

A. Introduction and swearing-in of Independence Police Department's new officer, Dustin Burdett.

Dustin Burdett was selected to serve the citizens of Independence as a police officer. He grew up in Northwest Oregon and relocated to Southeast Kansas in 2016. Burdett started his law enforcement career in 2022 at the City of Caney. Burdett believes that public service is a calling, and he is excited to

continue his career with the Independence Police Department and the great community we serve.

City Clerk Schwenker swore in Officer Burdett.

III. 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 purchasing water treatment chemicals for 2025.

Annually, chemicals for the Water Treatment Plant are bid. The bid tab for all chemicals is attached. Only two chemicals are projected to require Commission approval for purchase (purchases over \$25,000), liquid chlorine and potassium permanganate.

This year, three bids were received for supplying liquid chlorine. The low bid was from Brenntag Southwest, Inc., at \$2,050 per ton. Based on past use, this would equate to an annual purchase of approximately \$46,125.

The Brenntag bid was 11% lower than the nearest alternative, and was 15% lower than last year's low bid.

Four bids were received for supplying potassium permanganate. The low bid was from Chemrite Incorporated, at \$2.35 per pound. Based on past use, this would equate to an annual purchase of approximately \$43,475.

The Chemrite bid was 16% lower than the nearest alternative, and was 18% lower than last year's low bid.

Suggested Motion:

I move to authorize the purchase of liquid chlorine from Brenntag Southwest, Inc., and potassium permanganate from Chemrite Incorporated.

B. Consider an ordinance amending previous boundary ordinances and establishing the legal boundaries for the City of Independence

Annually, the City is required by the State of Kansas to update the City Boundary if changes have been made. It is anticipated that, working in conjunction with the County, an amended version may be filed in 2025 that more completely meets the needs of the County.

Suggested Motion:

I move to adopt an ordinance amending previous boundary ordinances and establishing the legal boundaries.

- C. Consider revising the Capital Improvement Plan for submittal to the Federal Aviation Administration.

Annually the City works with Lochner to prepare and provide a Capital Improvement Plan (CIP) to the Federal Aviation Administration (FAA).

This plan is a requirement of the FAA for funding future work at the Independence Municipal Airport. Attached is the recommended CIP update to file with the FAA. The primary change from previous CIP is that Runway 4-22 has been observed to be deteriorating, and a pavement rehabilitation project is requested in federal fiscal year 2026 which will require additional funding from FAA discretionary funds. This CIP will request those funds for the runway rehabilitation.

Suggested Motion:

I move to amend the Capital Improvement Plan for submittal to the Federal Aviation Administration.

- D. Consider adopting an ordinance approving the appropriations for 2025 authorized expenditures.

The purpose of this ordinance is to allow for transactions to be fully processed through to payment in a timely manner, up to the budgeted authority in each fund or as otherwise previously authorized by Commission approved contract. Approving one ordinance authorizing payment up to previously approved amounts will allow for a more streamlined process as it will save staff time re-preparing ordinances, as well as allow the City to pay its vendors, reconcile accounts, and operate in a more efficient manner. In addition to accounts payable, this will also allow for the processing of payroll. All payment records may still be provided to the Commission as a report on a monthly basis at either the first or second monthly Commission meeting. As always, procurement policies must also be followed.

Minutes of the City Commission's December 19, 2024 Meeting

Suggested Motion:

I move to adopt Ordinance 4476, approving appropriations for 2025 authorized and budgeted expenditures.

- E. Consider a resolution exempting the City from GAAP (Generally Accepted Accounting Principles) requirements.

Each year the Commission adopts a resolution exempting the City from all requirements of GAAP. The GAAP requirement provides for a fixed asset accounting system in lieu of just an inventory system, as well as other financial reporting requirements. This action is taken based on past recommendations of the auditors that the GAAP requirements would cost the City additional funds to prepare the City audit and would not provide any additional benefit to the City.

Suggested Motion:

I move to adopt Resolution No. 2024-052, waiving the requirements of K.S.A. 75-1120a(a) as they apply to the City of Independence, Kansas for the year ended December 31, 2025.

- F. Consider approving a resolution establishing functional classification of roadways for the KDOT and the FHWA.

Every decade after the completion of the Census, KDOT reviews the functional classification of roadways at the request of the Federal Highway Administration (FHWA). The most recent map known contains the functional classifications dating from July 31, 2003.

Suggested Motion:

I move to approve Resolution Number 2024-053 defining the functional classification of roadways as requested by KDOT.

- G. Consider authorizing the financing of a remounted ambulance.

On March 23, 2023 the Commission approved the remounting of the ambulance box on a new E450 2024 chassis by Osage Ambulance for \$196,075.17. The City has budgeted this as a lease-purchase arrangement.

Suggested Motion:

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

Minutes of the City Commission's December 19, 2024 Meeting

H. Consider approving the following Cereal Malt Beverage licenses:

1. William Matthew Cox DBA Dueces Tavern, LLC 112 S. 25th, Independence KS 67301
2. Matthew Kent DBA Gramps Tavern 811 N. 11Th, Independence KS 67301
3. Pete's Independence 401. W Main, Independence KS 67301
4. Akas 1 LLC 3024 W. Main, Independence KS 67301
5. Walmart #2893 121 Peter Pan, Independence KS 67301
6. Casey's General Store #1814 1305 N Penn, Independence KS 67301
7. DG Retail, LLC 1210 East Main Independence KS 67301
8. G &W 2 LLC 416 W Myrtle Independence KS 67301

This is an annual license renewal for businesses who wish to sell cereal malt beverages.

Suggested Motion:

I move to approve the Cereal Malt Beverage licenses as presented.

X. EXECUTIVE SESSION

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

Motion:

On the motion of Dean Hayse, seconded by Scott Smith, the Commission recessed for an executive session for consultation with an attorney representing the City regarding a legal issue pursuant to the attorney/client privilege exception found at KSA 75-4319(b)(2). The open meeting will resume at 5:44 pm.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

The open meeting resumed at 5:44 pm.

Motion:

On the motion of Dean Hayse, seconded by Scott Smith, the Commission recessed for an executive session for consultation with an attorney representing the City regarding a legal issue pursuant to the attorney/client privilege exception found at KSA 75-4319(b)(2). The open meeting will resume at 5:55 pm.

Minutes of the City Commission's December 19, 2024 Meeting

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

The open meeting resumed at 5:55 pm with no action taken.

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

This item was removed from the agenda.

IV. PUBLIC HEARINGS

- A. Public Hearing to consider the condemnation of 621 N. 17th Street as dangerous and unsafe.

The City has received complaints from neighbors regarding the condition and activity at this location. The structure has been identified as vacant and without utilities for 12 years. The property was sold at a tax sale, and the new owner has not contacted City staff. Staff recommends declaring the property as condemned, dangerous, and unsafe if the owner fails to provide a timeline for repairs.

Motion:

On the motion of Scott Smith, seconded by Dean Hayse, the Commission adopted a resolution condemning 621 N. 17th Street as dangerous and unsafe.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

- B. Public Hearing to consider the condemnation of 301 S. 14th Street as dangerous and unsafe.

The structure at 301 S. 14th has been vacant and without utilities for seven years. The exterior of the structure is in poor condition, with issues involving the roof, doors, and windows, and the structure remains unsecured. The City has not received any communication from the owner regarding the property or the condemnation process. City staff recommends declaring the structure as dangerous and unsafe, warranting condemnation.

Motion:

On the motion of Dean Hayse, seconded by Scott Smith, the Commission adopted a resolution condemning 301 S. 14th Street as dangerous and

unsafe.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

- C. Public Hearing to consider the condemnation of 309 S. 2nd Street as dangerous and unsafe.

City staff was alerted to this structure by neighbors, and it has been without utilities for seven years. The exterior and roof of the structure appear to be in disrepair, and the owner has not communicated with City staff regarding their intentions for the property. An Ownership and Encumbrance (O&E) report indicates the property has been delinquent since 2020. City staff recommends condemnation, deeming the property dangerous and unsafe.

Motion:

On the motion of Scott Smith, seconded by Dean Hayse, the Commission adopted a resolution condemning 309 S. 2nd Street as dangerous and unsafe.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

- D. Public Hearing to consider the condemnation of 1112 W. Main Street as dangerous and unsafe.

The City has received complaints about the boarded-up structure at 1112 W. Main Street and the deteriorated condition of its exterior. The structure has been without utilities for 12 years, and its exterior is in poor condition, with some doors and windows boarded up while others remain open. Portions of the exterior siding are missing, and the foundation appears to be in poor condition. The City has not received any communication from the property owner regarding their intentions for this structure.

Motion:

On the motion of Dean Hayse, seconded by Scott Smith, the Commission adopted a resolution condemning 1112 W. Main Street as dangerous and unsafe.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

Minutes of the City Commission's December 19, 2024 Meeting

- E. Public Hearing to consider the condemnation of 911 W. Pine Street as dangerous and unsafe.

The structure at 911 W. Pine Street has been the subject of complaints from neighbors and has been identified as vacant and without utilities for 10 years. The property owner, who resides in Florida, has been in contact with City staff regarding the property. While the owner initially expressed interest in restoring the structure, they have since determined that restoration is cost-prohibitive and that demolition is necessary. The owner has expressed a desire to donate the property to the Land bank, and this information has been forwarded to April Nutt.

Motion:

On the motion of Scott Smith, seconded by Dean Hayse, the Commission adopted a resolution condemning 911 W. Pine Street as dangerous and unsafe.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

- F. Public Hearing to consider the condemnation of 817 W. Cottonwood Street as dangerous and unsafe.

The structure at 817 W. Cottonwood has been identified as vacant and without utilities for 10 years. The property is now owned by Santos Gonzales, who acquired it through a tax sale and has been in contact with City staff regarding his plans to rehabilitate the structure. City staff recommends that the commission approve the building inspector's continued work with Mr. Gonzales to facilitate the rehabilitation process of the residence

Motion:

On the motion of Dean Hayse, seconded by Scott Smith the Commission adjourned the Public Hearing on the condemnation of 817 W. Cottonwood Street to March 27, 2025, at 5:30 PM.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

- G. Public Hearing to consider the condemnation of 2100 W. Myrtle Street as dangerous and unsafe.

The City of Independence has received numerous complaints regarding this structure, as well as associated activity and nuisances. The structure has been

without utilities for seven years and is deemed dangerous and unsafe, with large holes in the trailer and debris scattered throughout the yard. The City has not received any communication from the property owner.

Motion:

On the motion of Scott Smith, seconded by Dean Hayse, the Commission adopted a resolution condemning 2100 W. Myrtle Street as dangerous and unsafe.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

- H. Public Hearing to consider the condemnation of 228 S. Earl Street as dangerous and unsafe.

The structure at 228 S. Earl has been the subject of nuisance violations and building code issues for several years. The current owner has been in contact with City staff regarding the condition of the property and indicated plans to explore options for either starting repairs or selling the property before the December 19th public hearing.

City staff recommends condemnation, deeming the structure dangerous and unsafe, and the owner has 30 days to provide a timeline for repairs or the removal of the structure.

Motion:

On the motion of Dean Hayse, seconded by Scott Smith, the Commission adopt a resolution condemning 228 S. Earl Street as dangerous and unsafe.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

- I. Public Hearing to consider the condemnation of 617 N. 16th Street as dangerous and unsafe.

The structure at 617 N. 16th was brought to the City's attention by neighbors and has been without utilities for eight years. The owner, Rusty Russell, addressed the Commission in October, stating that his original intention was to purchase the structure for his daughter. However, due to ongoing vandalism, the structure is now beyond salvageable condition.

Motion:

On the motion of Scott Smith, seconded by Dean Hayse, the Commission condemned 617 N. 16th as dangerous and unsafe.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

- J. Public Hearing to consider the condemnation of 1100 W. Chestnut as dangerous and unsafe.

The structure at 1100 W. Chestnut has been the subject of numerous complaints from neighbors regarding transient activity, parties, and nuisance issues. The property was sold at a tax sale and purchased by an owner from California. The owner has since relocated to Independence and is now residing in the structure adjacent to 1100 W. Chestnut.

The owner invited City staff to review the condition of 1100 W. Chestnut, and the building inspector has determined that the structure should be demolished. The recommendation is based on several factors, including the failure of the foundation, the collapse of the back portion of the structure, extensive water damage, and the poor condition of the roof. The house has been deemed uninhabitable.

Motion:

On the motion of Dean Hayse, seconded by Scott Smith, the Commission adjourned the Public Hearing on the condemnation of 1100 W. Chestnut Street to March 27, 2025, at 5:30 PM.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

- K. Public Hearing to consider the condemnation of 212 S. Earl Street as dangerous and unsafe.

The residence at 212 S. Earl sustained significant damage in a structure fire on October 17, 2024. The property owner has been cooperative with the City of Independence, and the structure was insured. The City received insurance proceeds to cover the cost of removing the structure.

Two quotes were obtained for the removal, with the lowest quote coming from JRB Industries at \$6,250.00. The structure has since been removed, and the lot has been cleared of all debris.

Although a resolution condemning this property was not adopted, a resolution was filed with the Register of Deeds when the property was initially scheduled for a public hearing. To ensure no documents remain that

could cloud the property title, it is recommended that the City adopt a resolution rescinding the condemnation action. This resolution will also be filed with the Register of Deeds.

Motion:

On the motion of Scott Smith, seconded by Dean Hayse, the Commission adopted a resolution rescinding a previous resolution which set a hearing date to consider the condemnation of 212 S. Earl Street as dangerous and unsafe and return any insurance proceeds the City may have received.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

V. ITEMS FOR COMMISSION ACTION

- A. Consider an amendment in the scope of work and budget for the Trident Partnerships LLC Community Development Block Grant.

Trident Partnerships LLC is rehabilitating six downtown buildings for the purpose of upper story housing and commercial use on the ground level. The building located at 106-108 North 8th has been awarded a Community Development Block Grant. The developer is requesting an amendment to the scope of work and budget. The developer has been in contact with the Kansas Department of Commerce and KDOC is agreeable to this request. Since the grant is awarded to the city on behalf of Trident Partnerships LLC, the formal request needs to come from the City of Independence with City Commission approval.

Motion:

On the motion of Dean Hayse, seconded by Scott Smith, the Commission authorized the Mayor to sign the "Contract Amendment Request" for the Community Development Block Grant awarded to Trident Partnerships LLC for 106-108 North 8th.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

VI. REPORTS

- A. Report on RFP for a Tanker-Pumper

A recent structure fire highlighted a water supply issue in the southeast (SE)

part of the city. Fire-EMS encountered inadequate water supply after connecting to two hydrants. With assistance from mutual aid, a five-inch supply line was laid from Maple Street and Park Boulevard to the 200 block of South Edison Street to provide sufficient water for fire suppression. Following this incident, an after-action review was conducted, and Fire-EMS collaborated with the Public Utilities Department to examine the water supply infrastructure in the SE part of Independence.

This area, located south and east of Main Street and Park Boulevard, relies on aging infrastructure consisting of four-inch water supply lines that taper down to two-inch lines deeper into the SE corner of the city. The primary twelve-inch supply line runs south from Park Boulevard and Main Street to Birch Street before branching into smaller lines as it continues south to Edison St. The significant distance from the primary supply line and the zig-zagging street layout in the SE area make it challenging to deploy a five-inch supply line to support pumper trucks effectively.

To address this issue, Independence Fire-EMS recommends allocating \$200,000 from CIP funds to purchase a pumper tanker with a minimum capacity of 3,000 gallons. This tanker would provide a reliable water source for pumper trucks during structure fires in areas with limited water supply. The department is confident it can acquire a suitable used vehicle to meet these operational needs.

Prior to the incident in October, the CIP for 2025 included plans to replace the 2018 Transit Van Ambulance, which currently has 160,000 miles, as well as to purchase a new pumper engine in late 2026 or early 2027, following the completion of the final Tower lease payment in spring 2026.

B. Engineering and Public Works Report

Engineer Garris presented the report.

C. Admin and Housing Report

City Manager Passauer and Director of Housing Authority Nutt presented their respective reports.

D. City Board Minutes

VII. CITY MANAGER'S COMMENTS

Minutes of the City Commission's December 19, 2024 Meeting

City Manager Passauer and Director of Housing Authority Nutt presented a campaign for parking in downtown.

City Manager Passauer noted that 1201 W Pine was abated and thanked the public works crew for their hard work, City Hall will be closed Christmas Day and Christmas Eve and sanitation routes will be pushed back a day after Christmas.

VIII. COMMISSIONERS' COMMENTS

None.

IX. PUBLIC CONCERNS

None.

XI. ADJOURNMENT

Motion:

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

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

Tim Emert, Mayor

Dean A. Hayse, Commissioner

Scott Smith, Commissioner

Minutes of the City Commission's December 19, 2024 Meeting

Attest:

City Clerk/Treasurer

Minutes of the City Commission's December 23, 2024 Meeting

I. SPECIAL 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 and Lacey Lies, Finance Director.

Visitors Present: None

A. Call to Order

Mayor Emert called the meeting to order.

II. PUBLIC HEARING

A. Public hearing to consider amending the 2024 Budgets.

The following budgets are recommended to be amended for the following:

- 1. Industrial Fund – To show the 2023 invoice that was paid in 2024.**
- 2. Economic Development Fund – To show the purchase of land for economic development purposes.**
- 3. Education Sales Tax – To show the over-collection and subsequent pass through to USD 446 of 1% sales tax dollars.**
- 4. Special Use Sales Tax – To show the over-collection and subsequent pass through to appropriate Funds of 1% sales tax dollars.**
- 5. QOL Sales Tax – To show the close out of remaining funds transferred to the City Projects Fund for use on the Central Park Sports Complex QOL project.**
- 6. Liability Insurance – To show an additional \$2,225 in expenses underestimated at budget time.**
- 7. Bond & Interest – To account for interest payment amounts not known at the time the budget was adopted (for interest payments for the 2023 and 2024 Temporary Notes)**
- 8. General Fund – In August, we adopted an ordinance eliminating our Employee Benefits Fund. This amendment shows revenue for the remaining cash in the Employee Benefit Fund being transferred to the General Fund, as well as the remaining unspent budget authority in the Employee Benefit Fund being transferred to the General Fund.**

Motion:

Minutes of the City Commission's December 23, 2024 Meeting

On the motion of Dean Hayse, seconded by Scott Smith, the Commission approved the amended budgets as presented.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

III. ITEMS FOR COMMISSION ACTION

A. Consider approving the following Cereal Malt Beverage licenses:

1. Pizza Hut of SE Kansas 1815 N. Penn, Independence KS 67301
2. Walgreens #09454 301 W. Main, Independence KS 67301
3. Mikies 1901 N Penn, Independence KS 67301

Motion:

On the motion of Scott Smith, seconded by Tim Emert, the Commission approved the Cereal Malt Beverage licenses as presented.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

B. Consider approving a "mortgage" for two lots, 401 and 405 South 6th, where the City of Independence, on behalf of the Independence Housing Authority, is the lender and Diamond Property Management LLC is the mortgagor for the development of two single-family homes.

The Independence Housing Authority has retained lots 401 and 405 South 6th Street for the development of infill housing. Shane Harris, with Diamond Property Management LLC is requesting an opportunity to develop the two lots by constructing a single-family home on each lot. The homes would be 800 to 1000 square feet with a two-car garage. Mr. Harris is constructing a development of new homes outside the city limits and, as a requirement to obtain city water, Mr. Harris is required to either rehabilitate a home or construct a new home south of Main Street. Mr. Harris intends to construct two new homes south of Main Street, thus meeting his requirement for city water services. Once the mortgage obligation for constructing the homes has been met, the Independence Housing Authority will request the City of Independence to deed the property to Diamond Property Management LLC.

Motion:

On the motion of Scott Smith, seconded by Dean Hayse, the Commission authorized the mayor to sign the "Mortgage" agreement between the City of

Minutes of the City Commission's December 23, 2024 Meeting

**Independence, on behalf of the Independence Housing Authority, and
Diamond Property Management LLC.**

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

- C. Consider awarding the Central Park Sports Complex Phase 2 package.

Originally, the Phase 2 project of the Central Park Sports Complex completed all remaining features of the master plan, including a large baseball field, soccer restroom/concession facility, basketball courts, pickleball courts, batting cages, playground, sidewalk improvements, a road rebuild and off-street parking, two large parking lots, lighting improvements, shade structures and more. Due to increasing costs, the scope of the project had to be reduced to align with the grant dollars received for Phase 2. The features included in the scope reduction will be moved to Phase 3, which will push out their completion a year. The City plans to apply for another Land and Water Conservation Fund grant in September of 2025 to construct them in 2026, and will continue applying for funding until the entirety of the CPSC Master Plan has been completed.

Motion:

On the motion of Dean Hayse, seconded by Scott Smith, the Commission awarded the reduced scope Phase 2 project to Crossland Construction, up to \$4,398,000, and authorize City Staff to execute all related documents.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

IV. ADJOURNMENT

Motion:

On the motion of Tim Emert, seconded by Scott Smith, the Commission adjourned the meeting.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

Minutes of the City Commission's December 23, 2024 Meeting

Tim Emert, Mayor

Dean A. Hayse, Commissioner

Scott Smith, Commissioner

Attest:

City Clerk/Treasurer



REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
January 9, 2025

Department Admin

Director Approval Kelly Passauer

AGENDA ITEM Consider appointing an inside City position on the Planning Commission.

SUMMARY RECOMMENDATION Appoint an inside member of the Planning Commission.

BACKGROUND Mary Jo Dancer's term on the Planning Commission expired on January 1, 2025. She has served two full terms plus an unexpired term. She continues to serve until she is replaced. The City received three applications for this position, Brett Gilcrist, Deatrea Rose, and Anita Chappuie, all of who live within the City limits as required.

We received no applications for the open position outside the City within three miles. City staff has readvertised this position at this link: [Outside Planning Commission Opening](#). Applications are due by noon on January 16, 2025.

We want to thank Mary Jo Dancer for her service.

FINANCIAL INFORMATION N/A

SUGGESTED MOTION I move to appoint _____ to a first term on the Planning Commission ending on January 1, 2028.

SUPPORTING DOCUMENTS

1. GilcristBrett-PZ-InsideCity_Redacted
2. RoseDeatrea-PZ-InsideCity_Redacted
3. ChappuieAnita-Inside City PZ_Redacted

Online Form Submittal: Board Application

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

Date Tue 12/10/2024 11:21 AM

To kellyp@independenceks.gov <kellyp@independenceks.gov>

Board Application

Board Applying For: Planning Commission

Name Brett Gilcrist

Date 12/10/2024

Address 2500 North 10th Street

Email Address [REDACTED]

Phone Number [REDACTED]

Educational Background:

High School Name and Location Omaha Central High School, Omaha, NE

Graduated/Degree HS Diploma

College Name and Location Creighton University, Omaha, NE

Graduated/Degree BA Psychology, MS Counseling

Major BA Psychology, MS Counseling

Other Education Name and Location Wayne State College, Wayne, NE

Graduated/Degree MSOM

Emphasis Organizational Management

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?	As a citizen, I was involved in a property line dispute that required my interaction with several legal statutes, land surveying and land plat conservation, as well as gaining a working relationship with several professionals in those areas within Montgomery County.
Why do you want to become a member of the board?	I'd like the opportunity to help serve the Independence community.
Do you feel that there are any issues needing immediate attention by the board? If so, please explain.	Not that I'm aware of.
Other comments:	<i>Field not completed.</i>

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Online Form Submittal: Board Application

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

Date Tue 12/17/2024 11:16 AM

To Kelly Passauer <kellyp@independences.gov>

Board Application

Board Applying For: Planning Commision

Name Deatrea S. Rose

Date 12/17/2024

Address 1403 Birdie Drive

Email Address

Phone Number

Educational Background:

High School Name and Location Wyandote High School

Graduated/Degree 1991/ Diploma

College Name and Location Pittsburg State University

Graduated/Degree 2000 Master's

Major Educational Leadership

Other Education Name and Location University of Arkansas

Graduated/Degree 2025 Doctorate

Emphasis Higher Education

Do you reside inside the corporate limits of the City of Independence? Yes, No

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?	As a college administrator, I am tasked with budget oversight, hiring and training staff. I work with the community on various higher education initiatives.
Why do you want to become a member of the board?	I love Independence and we have lived here over 25 years. I would love to see Independence continue to grow and thrive.
Do you feel that there are any issues needing immediate attention by the board? If so, please explain.	None that I can think of. I do know that affordable housing is hard to find in our community. As industry continues to develop, it would be great to have a place for new families to live.
Other comments:	I look forward to the opportunity to work with others who love this community and would like to see it grow.

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Online Form Submittal: Board Application

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

Date Thu 1/9/2025 8:49 AM

To Kelly Passauer <kellyp@independences.gov>

Board Application

Board Applying For: Planning Commission

Name Anita Chappuie

Date 1/9/2025

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 been a member of the Independence Park Board and am now a member of the Tree Board. I also believe my background in law could be particularly relevant to some of the work of this board regarding Zoning Codes. During law school, I took coursework in municipal law, providing a strong foundational understanding of the function of a Planning Commission.
Why do you want to become a member of the board?	I enjoy being involved and engaged with my community and feel like serving on this board could be a good way to do that. I also believe, because of my educational background and experiences, my contribution could be of value to the city.
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.](#)



REQUEST FOR COMMISSION ACTION

CITY OF INDEPENDENCE

January 9, 2025

Department Admin

Director Approval Kelly Passauer

AGENDA ITEM Consider reappointing members of the Economic Development Advisory Board.

SUMMARY RECOMMENDATION Reappoint members on the Economic Development Advisory Board whose terms have expired.

BACKGROUND Keith Stone, Chuck Goad, Wayne Stephany and Rod Zinn's terms have expired on the Economic Development Advisory Board. They are all eligible to serve an additional term.

ECONOMIC DEVELOPMENT ADVISORY BOARD (3 year terms – 7 members)			
Members	Term	Expires	Appointed
Keith Stone CPA	Unexpired	January 1, 2025	January 26, 2023 Replaced Paul Yaroslaski
Chuck Goad, Chair	1st term*	January 1, 2025	October 10, 2019
Wayne Stephany, Vice Chair	1st term*	January 1, 2025	October 10, 2019
Rod Zinn	1st term	January 1, 2025	January 13, 2022 Replaced Brian Hight
Lori Kelley	2nd term*	January 1, 2027	October 10, 2019
Jason Curtis, Secretary	2nd term*	January 1, 2027	October 10, 2019
Jim Kelly	1st term*	January 1, 2027	June 23, 2022
Ex-Officio:			
Lisa Wilson, Director Independence Chamber of Commerce		Melissa Johnson, Director Montgomery County Action Council	
Tabatha Snodgrass, Director Independence Main Street		April Nutt, Director Housing Authority	
Meeting Place: Memorial Hall Meeting Date: First Tuesday Meeting Time: 3:30 PM			

FINANCIAL INFORMATION N/A

SUGGESTED MOTION I move to reappoint Keith Stone, Chuck Goad, Wayne Stephany, and Rod Zinn to an additional term on the Economic Development Advisory Board ending on January 1, 2028.

SUPPORTING DOCUMENTS



REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
January 9, 2025

Department Admin

Director Approval Kelly Passauer

AGENDA ITEM Reorganization of the Commission

1. Election of Mayor
2. Election of Vice Mayor
3. Designation of Official City Newspaper
4. Designation of Official City Depository
5. Consider changing the day of week and time for Commission meetings

SUMMARY RECOMMENDATION Elect Mayor and Vice Mayor; designate Official City Newspaper; designate Official City Depository; and consider the date and time for 2025 meetings.

BACKGROUND Each year, the Commission reorganizes. Regarding the election of the Mayor, in non-election years, typically, the Commissioner who is starting the second year of their two-year term, serves as Mayor, which would be Scott Smith. In election years, the Commissioner who is starting the third year of their four-year term serves as Mayor. The purpose of this is to allow every elected Commissioner, whether elected to a two-year term or four-year term, to have the opportunity to serve as Mayor once per term. However, the Commission may choose anyone they wish, and they do not have to follow this tradition.

Each year, the Official City Newspaper and Official City Depository are named. Staff recommends that the Independence Daily Reporter and the Community National Bank continue to serve in these two roles respectfully.

Staff recommends that the 2025 City Commission schedule be approved, generally consisting of the 2nd and 4th Thursdays at 5:30 PM and the 3rd Wednesday at 9 AM for work sessions, with the exceptions noted in green. Please note there is no scheduled special meeting in January. This is the same schedule that was approved on November 14, 2024.

2025 City Commission Meeting Schedule (Proposed)

- **Thursday, January 9, 2025** – 5:30 PM (2nd Thursday, Reorganization)
- **Thursday, January 23, 2025** – 5:30 PM (4th Thursday)
- **Thursday, February 13, 2025** – 5:30 PM (2nd Thursday)
- **Wednesday, February 19, 2025** – 9:00 AM (3rd Wednesday)
- **Thursday, February 27, 2025** – 5:30 PM (4th Thursday)
- **Thursday, March 13, 2025** – 5:30 PM (2nd Thursday)

- **Wednesday, March 19, 2025** – 9:00 AM (3rd Wednesday)
- **Thursday, March 27, 2025** – 5:30 PM (4th Thursday)
- **Thursday, April 10, 2025** – 5:30 PM (2nd Thursday)
- **Wednesday, April 16, 2025** – 9:00 AM (3rd Wednesday)
- **Thursday, April 24, 2025** – 5:30 PM (4th Thursday)
- **Thursday, May 8, 2025** – 5:30 PM (2nd Thursday)
- **Wednesday, May 21, 2025** – 9:00 AM (3rd Wednesday)
- **Thursday, May 22, 2025** – 5:30 PM (4th Thursday)
- **Wednesday, June 11, 2025** – 5:30 PM (rescheduled due to City Attorney Training)
- **Wednesday, June 18, 2025** – 9:00 AM (3rd Wednesday, Optional Budget Worksession)
- **Thursday, June 26, 2025** – 5:30 PM (4th Thursday)
- **Thursday, July 10, 2025** – 5:30 PM (2nd Thursday)
- **Wednesday, July 16, 2025** – 9:00 AM (3rd Wednesday, Optional Budget Worksession)
- **Thursday, July 24, 2025** – 5:30 PM (4th Thursday)
- **Thursday, August 14, 2025** – 5:30 PM (2nd Thursday)
- **Wednesday, August 20, 2025** – 9:00 AM (3rd Wednesday, Budget Worksession)
- **Thursday, August 28, 2025** – 5:30 PM (4th Thursday)
- **Thursday, September 11, 2025** – 5:30 PM (2nd Thursday, Revenue Neutral Rate/Budget Hearings)
- **Wednesday, September 17, 2025** – 9:00 AM (3rd Wednesday)
- **Thursday, September 25, 2025** – 5:30 PM (4th Thursday)
- **Wednesday, October 8, 2025** – 5:30 PM (rescheduled due to City Attorney Training and LKM Conference in Overland Park October 9 - 11, 2025)
- **Wednesday, October 15, 2025** – 9:00 AM (3rd Wednesday)
- **Wednesday, October 22, 2025** – 5:30 PM (rescheduled due to Doo Dah Parade)
- **Thursday, November 13, 2025** – 5:30 PM (2nd Thursday)
- **Wednesday, November 19, 2025** – 9:00 AM (3rd Wednesday)
- **Thursday, November 20, 2025** – **3:30 PM** (rescheduled due to Thanksgiving and moved to 3:30 PM due to the MCAC Quarterly Meeting in Cherryvale)
- **Thursday, December 11, 2025** – 5:30 PM (2nd Thursday)
- **Wednesday, December 17, 2025** – 9:00 AM (3rd Wednesday)
- **Thursday, December 18, 2025** – 5:30 PM (rescheduled due to Christmas)

Special Meetings that fall on consecutive dates of a regular Commission meeting are highlighted in **yellow** in case you want to cancel or reschedule them.

FINANCIAL INFORMATION N/A

SUGGESTED MOTION

1. I move to nominate _____ as Mayor.
2. I move to nominate _____ as Vice Mayor.
3. I move to designate the Independence Daily Reporter as the Official City Newspaper.
4. I move to designate Community National Bank as the Official City Depository.
5. 2025 City Commission Meeting Schedule Potential Motions:
 - a. I move to adopt the 2025 City Commission Meeting schedule as presented;
 - b. I move to adopt the 2025 City Commission Meeting schedule as presented except for deleting the Special Commission meetings in May, November, and

- December due to falling on the preceding day of a regular Commission meeting;
or
- c. I move to change the day of the week and time for Commission meetings to
_____.

SUPPORTING DOCUMENTS



Presentation
CITY OF INDEPENDENCE
January 9, 2025

Department Admin

Director Approval Jeffrey Chubb

AGENDA ITEM Orientation by the City Attorney

BACKGROUND Each year the City Attorney provides a refresher overview orientation for the City Commission.

SUPPORTING DOCUMENTS



REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
January 9, 2025

Department Admin

Director Approval David Cowan

AGENDA ITEM Consider approval of cleaning services for City Hall and the Incubator leased space.

SUMMARY RECOMMENDATION City staff recommends WCD Enterprises, LLC

BACKGROUND Background:

The City of Independence issued a Request for Proposals (RFP) for cleaning services at City Hall and the leased space at the Incubator Building, in accordance with its procurement policy. The RFP required that the selected contractor provide their own workers' compensation coverage and liability insurance and pass a background check to access restricted areas, such as the Police Department.

Two proposals were received: one from the current provider, S&J Cleaning Service, and another from WCD Enterprises, a company based in Scottsdale, Arizona.

Evaluation:

During the proposal review and background check process, the City contacted WCD Enterprises on December 20, 2024. Initial communication with the company's corporate office occurred on December 23, 2024. A follow-up meeting took place on January 2, 2025, during which the company's owner explained that WCD Enterprises is a nationwide company newly entering the Kansas market. The owner confirmed that WCD has a three-member team, including a supervisor assigned specifically to the Independence opportunity, ready to begin work.

Recommendation:

The City recommends awarding the cleaning services contract to WCD Enterprises at the following rates:

- **City Hall:** \$750.00 per month.
- **Incubator Building Clinic:** \$393.00 per month.
- **Additional Cleaning (if needed):** \$173.21 per request at City Hall and \$90.76 per request at the Incubator Building.

Scope of Work:

- Weekly cleaning of all interior offices and spaces at City Hall every Thursday.

- Cleaning services for the leased Incubator Building, with costs reimbursed to the City through the lease agreement.

FINANCIAL INFORMATION Cleaning services are a budgeted item in the City Hall budget.

SUGGESTED MOTION I move to approve the cleaning services to WCD Enterprises.

SUPPORTING DOCUMENTS

1. Cleaning Services -RFP - Beatriz Valdez 12202024_Redacted
2. WCD Enterprises Cleaning RFP

Bid Sheet

Please provide monthly pricing for the following areas as detailed in the scope of work listed above.

<u>LOCATION</u>	<u>TOTAL PRICE / MONTH</u>
1. City Hall	\$ <u>2,000</u>
2. Incubator Building	\$ <u>800</u>

Price for requested additional cleaning (City may request additional cleaning due to a special event or unforeseen event)

<u>LOCATION</u>	<u>TOTAL PRICE FOR 1X ADDITIONAL</u>
1. City Hall	\$ <u>500</u>
2. Incubator Building	\$ <u>200</u>

Beatriz VA/dez 12/20/24
Signature Date
S+J Cleaning
Company Name/Title
1234th Independence KS 67301
Address
[REDACTED]
[REDACTED]
[REDACTED]

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.



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

City of Independence Request for Proposals Cleaning Services

Responses will be received at:

City of Independence
City Clerk: Cleaning Services RFP
120 N. 6th St.
Independence, Ks. 67301

Email: davids@independences.gov

RFP may be emailed, mailed or brought to City Hall no later than 2:00 PM
December 20, 2024.

The proposal must be submitted by
No Later than **2:00 PM on December 20, 2024**
There will not be a public opening for this RFP

Questions regarding this RFP
Email: davidc@independences.gov
Voice: 620.332.2528

A tour of the spaces may be scheduled so the contractor can visualize areas
to be cleaned. Please contact davidc@independences.gov or 620.332.2528
to schedule a tour.

SCOPE OF WORK

The work provided for in these specifications shall consist of furnishing all labor and performing all work necessary to accomplish janitorial services for identified City facilities in this RFP; together with other incidental and related works as set forth in these specifications, or as directed by the Assistant City Manager, or his designated agent, hereafter referred as the “City”.

PLANS: LOCATION AND ESTIMATED AREAS

All work is located in the City of Independence, Kansas including the following facilities:

1. City Hall, 120 N. 6th St.
 - a. All offices (3 floors)
2. Incubator Building, 811 W. Laurel St.
 - a. Medical Office and entryway

MATERIAL TYPE AND USAGE

The contractor shall determine the appropriate type of materials to meet the requirements of this bid and shall submit sufficient information for the City to properly evaluate the proposal.

EQUIPMENT

The City of Independence shall supply all equipment and supplies to perform the work outlined in this proposal.

LICENSING

Contractor must maintain a valid business license in the City of Independence

INSURANCE

The contractor shall secure and maintain, throughout the duration of the contract with the City of Independence, protecting the contractor against the hazards and risk of loss in such types and amounts as hereinafter set forth.

1. Worker’s Compensation Insurance complying with the statutory requirements of the State of Kansas.
2. Liability Insurance having liability limits not less than \$250,000 for each person

SAFETY TRAINING

Contractor shall be responsible for all necessary safety training in compliance with local, state, and federal regulations, including, but not limited to, the Occupational Safety and Health Administration rules and regulations.

CITY HALL

- Basement
 - Entrance
 - Clean steps and outside entry to keep clean of debris
 - Lobby
 - Break area
 - Police – Men’s Locker Room
 - Police – Women Locker Room
 - Hallway
 - Stairway to 1st floor
- 1st Floor
 - Lobby
 - South Entrance
 - West Entrance
 - Clerk’s Offices
 - (3) offices
 - Main counter office
 - Large meeting works space
 - (1) bathroom
 - Housings
 - (3) offices
 - Flex Office
 - Small Meeting Room
 - Municipal Court Office
 - (2) Public Bathrooms
 - Hallways
 - Commission /Courtroom
 - Patrol Division



“Delivering Excellence”

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

- Large office - Patrol
 - Sgt Office - 4 desk spaces
 - (1) bathroom
 - Workspace
 - Interrogation Room
 - Booking Room
 - (1) bathroom
- 911 Center
 - Records Office
 - 911 Center
 - (1) office
 - Kitchen
 - (1) bathroom
- **2nd FLOOR**
 - Code Enforcement Office
 - Building Inspector Office
 - Engineer Office
 - Administration
 - City Manager Office
 - Secretary Office
 - Assistant City Manager Office
 - Conference Room
 - Breakroom/kitchen area
 - (2) bathrooms
- **2nd Floor – Police Department**
 - Work area
 - (2) bathrooms
 - Administration Offices
 - Secretary
 - Captain Office
 - Chief Office
 - Assistant Chief Office
 - Hallway
 - Detective Division

- (3) offices
- (1) Interrogation Room

City Hall		
Area Requirements	Weekly	Day of Week
Maintain debris free floors	1x	Option of Wednesday evening or Thursday morning
Empty all trash and replace liners	1x	Option of Wednesday evening or Thursday morning
Sweep, wet mop all tile floors	1x	Option of Wednesday evening or Thursday morning
Dust surfaces, shelves, countertops, cabinets, TV's, computer screens	1x	Option of Wednesday evening or Thursday morning
Wipe and disinfect door handles, desk and countertops	1x	Option of Wednesday evening or Thursday morning
Bathrooms – clean/disinfect/sweep/mop floors	1x	Option of Wednesday evening or Thursday morning
Bathrooms – clean, fill all dispensers (soap, toilet paper, paper towels)	1x	Option of Wednesday evening or Thursday morning
Bathroom – scrub, disinfect toilets, urinals	1x	Option of Wednesday evening or Thursday morning
Clean, wipe microwaves, ice dispenser	1x	Option of Wednesday evening or Thursday morning

Wipe and disinfect all sinks, faucets	1x	Option of Wednesday evening or Thursday morning
Detail, dust room, windows, cabinets and corners	1x	Option of Wednesday evening or Thursday morning
Clean walls, door frames, switches, baseboard, office chair mats	1x monthly	Option of Wednesday evening or Thursday morning
Showers – scrub, detail showers	1x monthly	Option of Wednesday evening or Thursday morning
The trash collected will be removed and placed in the dumpster on the South side of the building	1x	Option of Wednesday evening or Thursday morning

***Contractor shall propose the day of the week and time they will perform the cleaning services for City Hall.**

INCUBATOR BUILDING – 811 W. LAUREL STREET – 5,000 sq feet

- North entry way and foyer
- Waiting room
- Nurses Stations
- (6) Rooms
- (3) bathrooms
- Imaging Room
- Waiting area for imaging room
- East entryway

Incubator Building		
Area Requirements	Weekly	Day of Week
Maintain debris-free floors	1x	TBD with lease holder
Empty all trash and replace liners	1x	TBD with lease holder
Sweep, wet mop all tile floors	1x	TBD with lease holder
Dust surfaces, shelves, countertops, cabinets, TV's, computer screens	1x	TBD with lease holder
Wipe and disinfect door handles, desk and countertops	1x	TBD with lease holder
Bathrooms – clean/disinfect/sweep/mop floors	1x	TBD with lease holder
Bathrooms – clean, fill all dispensers (soap, toilet paper, paper towels)	1x	TBD with lease holder
Bathroom – scrub, disinfect toilets, urinals	1x	TBD with lease holder
Clean, wipe microwaves, ice dispenser	1x	TBD with lease holder
Wipe and disinfect all sinks, faucets	1x	TBD with lease holder
Detail, dust room, windows, cabinets and corners	1x	TBD with lease holder
Clean walls, door frames, switches, baseboard, office chair mats	1x monthly	TBD with lease holder
Trash collected will be removed and placed in the	1x	TBD with lease holder



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

dumpster West side of the building		
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Office of the Assistant City Manager
120 North 6th Street
Independence, KS 67301

Bid Sheet

Please provide monthly pricing for the following areas as detailed in the scope of work listed above.

<u>LOCATION</u>	<u>TOTAL PRICE / MONTH</u>
1. City Hall	\$ <u>750.00</u>
2. Incubator Building	\$ <u>393.00</u>

Price for requested additional cleaning (City may request additional cleaning due to a special event or unforeseen event)

<u>LOCATION</u>	<u>TOTAL PRICE FOR 1X ADDITIONAL</u>
1. City Hall	\$ <u>173.21</u>
2. Incubator Building	\$ <u>90.76</u>

Wes Dryden

12/18/2024

Signature

Date

WCD Enterprises, LLC

Company Name/Title

[REDACTED]

Address

[REDACTED]

Mobile Nos. (office and cellular)

[REDACTED]

E-mail

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.

CAPABILITIES STATEMENT



WES DRYDEN
WCD ENTERPRISES, LLC
VICE PRESIDENT
480.415.3416
WES.DRYDEN@YAHOO.COM
WWW.WCDENTERPRISESLLC.NET

COMPANY SUMMARY

WCD Enterprises, LLC was established as a Total Facility Service Company in 2008 and have provided commercial janitorial and landscape maintenance services nationwide to commercial properties and many government facilities. Currently servicing locations in Texas, Arizona, Oklahoma and Kansas.

COMPANY DATA

OFFICE LOCATIONS

Home Office - Scottsdale, Arizona
Regional Office—Dallas, Fort Worth & Houston

KEY PERSONNEL

Cynthia Dryden - President
Wes Dryden - Vice President
Dacota Dryden - Account Supervisor - Texas Market
Lance Waddill - Texas Business Development
Angie Uptmore - Accounting Manager
Kaitlin Rodriguez - Procurement Specialist

CONTACT INFO

WCD Enterprises, LLC
28150 N Alma School Pkwy.
#103-452
Scottsdale, AZ 85262

480.415.3416 office
480.683.0011 fax

DUNS 018883190
CAGE 6QP83
UE ID J5W7T39P98J9
FIN 77-0700940

Fidelity Bond: \$100,000.00
General Liability: \$1M / \$2M
Auto Liability: \$1M
Workman's Comp: \$1M / \$1M / \$1M
Insurance Carrier: The Hartford

DIFFERENTIATORS

- 40 Years of Industry Experience
- Contracts are Self-Performed
- All Equipment is Owned
- All Key Personnel Have 10 to 20 years Industry Experience
- Low Turnover Rate
- (most employees have been with us over 10 years)
- Large Number of Current and Past Government Clients (City, State and Federal)

CORPORATE EXPERTISE

The following is a list highlighting some of our accomplishments:

GOVERNMENT CLIENTS

Arizona Department of Economic Security
Arizona Department of Transportation
Arizona Game and Fish Department
Department of Emergency Military Affairs
Texas Department of Public Safety
Texas Department of Transportation
Texas Parks & Wildlife Department
Health & Human Services
United States Department of Agriculture
United States Bureau of Reclamation

NOTABLE COMMERCIAL CLIENTS

UPS
SAIA
Old Dominion
Texas Tech University
National Bank of Arizona
Apple Stores - Arizona & Oklahoma

OVERVIEW

We pride ourselves on open communication with our customers and smooth transitions for new accounts. WCD works to gain a thorough and comprehensive understanding of new accounts to ensure a good relationship with our client before services begin and during the life of the contract. For any problems that may arise, we intervene immediately and take swift action to prevent a negative trend in service level. Our Quality Control Department works in conjunction with our crews to provide the best service possible. Should our Quality Control Manager be unable to resolve an issue, it will be redirected to the owners of the company.

REFERENCES



WES DRYDEN
WCD ENTERPRISES, LLC
VICE PRESIDENT
480.415.3416

WES.DRYDEN@YAHOO.COM
WWW.WCDENTERPRISESLLC.NET

ARIZONA LANDSCAPE REFERENCES

Great Wolf Lodge Scottsdale Arizona

[RESORT HOTEL]

Dan Jones - Chief Engineer

7333 N Pima Rd.

Scottsdale, Arizona 85258

480.432.2337

dani.jones@greatwolf.com

Cowley Company

[COMMERCIAL REAL ESTATE]

Tyler Fletcher

1242 E Jackson

Phoenix, Arizona 85034

602.385.4200 (O) / 602.478.8268 (M)

tyler@cowleyco.com

United Cerebral Palsy (UCP)

[COMPREHENSIVE DISABILITY SERVICE CENTER]

Wayne Esposito

1802 W Parkside Ln.

Phoenix, Arizona 85027

602.943.5472 (O) / 602.319.9690 (M)

tyler@cowleyco.com

Housing Authority of Maricopa County

[GOVERNMENT HOUSING / ASSISTANCE OFFICE]

Barbara Grambs

8910 N 78th Ave.

Peoria, Arizona 85345

602.744.4545

b.grambs@maricopahousing.org

TEXAS LANDSCAPE REFERENCES

City of Laredo (Waste Water Plants)

[CITY ENTITY—MULTIPLE CITY PROPERTIES]

Alonzo Diaz

5512 Thomas Avenue

Laredo, Texas 78041

956.721.2022

adiaz@ci.laredo.tx.us

LEAD Association Management

[PROPERTY MANAGEMENT]

Syd Talley

13231 Champion Forest Drive, Suite 311

Houston, Texas 77069

713.875.6140

syd@lead-inc.com

Regions Bank - Healthspace Regions Lancaster, LLC

[COMMERCIAL BANKING PROPERTY]

Kevin Coyne

661 East Main Street, Suite 200-306

Midlothian, Texas 76065

972.333.1847

kevin@kevincoyne.com

City of Wylie

[CITY ENTITY—MULTIPLE CITY PROPERTIES]

Brent Stowers

300 Country Club Road

Wylie, Texas 75098

972.516.6371

brent.stowers@wylietexas.gov

City of Weatherford (Parks/Cemeteries)

[CITY ENTITY—MULTIPLE CITY PROPERTIES]

Gary Miller

119 Palo Pinto Street

Weatherford, Texas 76086

817.629.0635

gmiller@weatherfordtx.gov

JANITORIAL REFERENCES

DEMA (Department of Emergency Military Affairs)

[MULTIPLE MILITARY BUILDING CAMPUS]

Rob Coleman

5636 E McDowell Rd., M5351

Phoenix, Arizona 85008-3495

602.267.2611 (O) / 602.629.4334 (F) / 602.510.6181 (M)

robert.f.coleman.nfg@mail.mil

Brite Solutions

[MULTIPLE COMMERCIAL BUSINESS MANAGEMENT]

Jamie Sanders

Oakland, Tennessee

901.665.7655 (O) / 901.603.9930 (M)

jsanders@brittenationwide.com

Texas Health and Human Services

[GOVERNMENT HEALTH FACILITY]

Dora DeLeon

117 Lane Drive, Suite 50

Rosenberg, Texas 77471

832.600.6811

dora.deleon@hhsc.state.tx.us

LEAD Association Management

[PROPERTY MANAGEMENT]

Syd Talley

13514 Fawn Lily

Houston, Texas 77429

713.875.6140

syd@lead-inc.com



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

05/31/2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER INTEGRA INSURANCE GROUP 59304509 13350 N 94TH DRIVE SUITE B PEORIA AZ 85381	CONTACT NAME: PHONE (623) 322-5955 (A/C, No, Ext): FAX (A/C, No): E-MAIL ADDRESS:																					
INSURED WES DRYDEN WCD ENTERPRISES LLC 28150 N ALMA SCHOOL PKWY STE 103-452 SCOTTSDALE AZ 85262-8133	<table><tr><th colspan="2">INSURER(S) AFFORDING COVERAGE</th><th>NAIC#</th></tr><tr><td>INSURER A : Sentinel Insurance Company Ltd.</td><td></td><td>11000</td></tr><tr><td>INSURER B : Hartford Fire and Its P&C Affiliates</td><td></td><td>00914</td></tr><tr><td>INSURER C :</td><td></td><td></td></tr><tr><td>INSURER D :</td><td></td><td></td></tr><tr><td>INSURER E :</td><td></td><td></td></tr><tr><td>INSURER F :</td><td></td><td></td></tr></table>	INSURER(S) AFFORDING COVERAGE		NAIC#	INSURER A : Sentinel Insurance Company Ltd.		11000	INSURER B : Hartford Fire and Its P&C Affiliates		00914	INSURER C :			INSURER D :			INSURER E :			INSURER F :		
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INSURER D :																						
INSURER E :																						
INSURER F :																						

COVERAGES**CERTIFICATE NUMBER:****REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR ☒ General Liability GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☒ PROJECT ☐ LOC ☐ OTHER:	X	X	59 SBA PI1952	06/29/2024	06/29/2025	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$1,000,000 MED EXP (Any one person) \$10,000 PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS - COMPIOP AGG \$2,000,000
A	AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ ALL OWNED AUTOS ☒ HIRED AUTOS ☐ SCHEDULED AUTOS ☒ NON-OWNED AUTOS			59 SBA PI1952	06/29/2024	06/29/2025	COMBINED SINGLE LIMIT (Ea accident) \$1,000,000 BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident)
A	☒ UMBRELLA LIAB ☒ EXCESS LIAB ☐ OCCUR ☒ CLAIMS-MADE ☐ RETENTION \$ 10,000			59 SBA PI1952	06/29/2024	06/29/2025	EACH OCCURRENCE \$5,000,000 AGGREGATE \$5,000,000
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A	59 WEC AL4NPT	01/13/2024	01/13/2025	☒ PER STATUTE ☐ OTH-ER E.L. EACH ACCIDENT \$1,000,000 E.L. DISEASE -EA EMPLOYEE \$1,000,000 E.L. DISEASE - POLICY LIMIT \$1,000,000
A	EMPLOYMENT PRACTICES LIABILITY			59 SBA PI1952	06/29/2024	06/29/2025	Each Claim Limit \$10,000 Aggregate Limit \$10,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Those usual to the Insured's Operations.

CERTIFICATE HOLDER**CANCELLATION**

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Suan L. Castaneda

SAMPLE

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ACORD 25 (2016/03)

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Request for Taxpayer Identification Number and Certification

Give Form to the
requester. Do not
send to the IRS.

► Go to www.irs.gov/FormW9 for instructions and the latest information.

Print or type.
See Specific Instructions on page 3.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank. WCD Enterprises, LLC	
2 Business name/disregarded entity name, if different from above	
3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes. ☐ Individual/sole proprietor or single-member LLC ☐ C Corporation ☐ S Corporation ☐ Partnership ☐ Trust/estate ☒ Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ► S Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner. ☐ Other (see instructions) ►	4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____ (Applies to accounts maintained outside the U.S.)
5 Address (number, street, and apt. or suite no.) See instructions. 28150 N Alma School Pkwy 103-452	Requester's name and address (optional)
6 City, state, and ZIP code Scottsdale, AZ 85262	
7 List account number(s) here (optional)	

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number									
				-				-	
or									
Employer identification number									
7	7			-	0	7	0	0	9 4 0

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign
Here

Signature of
U.S. person

Date ►

Jan 1, 2024

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.



**REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
January 9, 2025**

Department Airport

Director Approval John Garris

AGENDA ITEM Consider Authorizing Submission of Airport Grant Requests to KDOT.

SUMMARY RECOMMENDATION Authorize Submissions.

BACKGROUND

Kansas Department of Transportation (KDOT) Kansas Airport Improvement Program (KAIP) is accepting applications for state fiscal year 2026/2027 are due on January 31, 2025. The following project has been suggested for submission:

Airport Apron Rehab Engineering:

Estimated Cost	Estimated City Match
\$150,000	\$15,000

Airport Apron Rehab Construction:

Estimated Cost	Estimated City Match
\$690,000	\$69,000

In order to maintain pavement integrity, maintenance work must be periodically performed. The FAA provides significant funding to our airport, but the apron directly adjacent to the Textron manufacturing facility is not eligible for FAA funding. However, KDOT's KAIP funding would provide a source for potential funding for pavement maintenance in this area, and our consultant, Lochner, has created the attached exhibits explaining the project. We would coordinate with Textron if awarded to minimize impacts on their operation.

FINANCIAL INFORMATION Funding would come from budgeted funds.

SUGGESTED MOTION I move to authorize submittal of the application for the KAIP grant to KDOT.

SUPPORTING DOCUMENTS

1. Textron Apron Rehab - Budget
2. Textron Apron Rehab - Exhibit
3. Textron Apron Rehab - Estimate

TOTAL PROJECT BUDGET

INDEPENDENCE MUNICIPAL AIRPORT (IDP) INDEPENDENCE, KANSAS

REHABILITATE (SEAL CRACKS, SEAL COAT, RE-MARK) ASPHALT APRON PAVEMENT

ENGINEER'S OPINION OF PROBABLE CONSTRUCTION COST

December 18, 2024

ESTIMATED PROJECT COSTS

Engineering Services

Design Phase Services (Est.)	\$	80,000.00
Construction Phase Services (Est.)	\$	70,000.00
Subtotal	\$	150,000.00

Construction

Construction Costs (Est.)	\$	690,000.00
Subtotal	\$	690,000.00

TOTAL PROJECT COSTS (EST.)	\$	840,000
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ESTIMATED FUNDING SPLIT

(Based on 90/10 Split)

Local Cost

KDOT Cost *

Total Cost

TOTAL PROJECT COST SPLIT (EST.)	\$	84,000	\$	756,000	\$	840,000
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* Total KDOT share cannot exceed \$800,000 maximum share. Any amount exceeding \$800,000 would be Sponsor's responsibility to fund.

Drawing Name: I:\AVIATION\AIRPORTS\KANSAS\Independence (IDP)\ACIP DATA SHEET\FY2025\ACAD\IDP_CIP.dwg Dec 18, 2024 - 8:28am



LOCHNER

16105 West 113th Street | Suite 107 | Lenexa, Kansas 66219
P 816.945.5840 | www.hwlochner.com

REHABILITATE ASPHALT APRON PAVEMENT

DESIGNED BY	DRAWING NAME	PROJECT NO.
IJW	INDEPENDENCE FY26 KAIP	
CHECKED BY	SCALE	REVISION DATE
	NO SCALE	

SHEET
1
ISSUE DATE
12/17/2024

INDEPENDENCE MUNICIPAL AIRPORT (IDP) INDEPENDENCE, KANSAS

FFY2026 KAIP APPLICATION

REHABILITATE (SEAL CRACKS, SEAL COAT, RE-MARK) ASPHALT APRON PAVEMENT

ENGINEER'S OPINION OF PROBABLE CONSTRUCTION COST

December 18, 2024

ITEM NO.	ITEM DESCRIPTION	QUANTITY	UNIT	UNIT COST	TOTAL
1	Mobilization (NTE 10% of Total Bid Amount)	1	L.S.	\$ 59,100.00	\$ 59,100.00
2	Temporary Marking, Lighting, and Barricades	1	L.S.	\$ 20,000.00	\$ 20,000.00
3	Clean and Seal Joints and Cracks in Asphalt Pavement (0.25" to 1.5")	70,000	L.F.	\$ 2.25	\$ 157,500.00
4	Clean and Seal Joints and Cracks in Asphalt Pavement (> 1.5")	10,000	L.F.	\$ 8.00	\$ 80,000.00
5	Pavement Friction Seal Coat Surface Treatment	100,800	S.Y.	\$ 3.25	\$ 327,600.00
6	Surface Preparation, Pavement Marking Removal	7,400	S.F.	\$ 2.00	\$ 14,800.00
7	Permanent Reflectorized Pavement Marking (Yellow)	5,000	S.F.	\$ 2.50	\$ 12,500.00
8	Permanent Non-Reflectorized Pavement Marking (Yellow)	2,400	S.F.	\$ 2.50	\$ 6,000.00
9	Temporary Non-Reflectorized Pavement Marking (Yellow)	5,000	S.F.	\$ 2.50	\$ 12,500.00
TOTAL CONSTRUCTION COSTS (EST.)					\$ 690,000.00



**REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
January 9, 2025**

Department Public Works & Utilities

Director Approval John Garris

AGENDA ITEM Consider authorizing award of the annual concrete patching bid.

SUMMARY RECOMMENDATION Authorize award to J. Graham Construction, Inc.

BACKGROUND The City requires concrete patching work to be completed at various locations due to utility repair activity and required pavement maintenance (including pavement flowline repair). Additionally, pricing for sidewalk work is required for incidental repairs. Adding in ADA ramps and curb and gutter replacement complete the work items that we would generally need to do for small repairs around the City.

The City requested bids for these four categories of work, and received one response, from J. Graham Construction, Inc. Other competent contractors were contacted, but declined to bid.

The prices are either lower or the same this year, with patching and ADA ramp replacement dropping \$5 per square yard.

The work will be awarded in multiple contracts for work via the Street Department as well as Water/Sewer work (and to other departments as required).

FINANCIAL INFORMATION Funds for patching have been budgeted.

SUGGESTED MOTION I move to authorize award of the 2025 concrete patching bid contracts to J. Graham Construction, Inc., at the unit prices as specified on the bid documents.

SUPPORTING DOCUMENTS

1. J Graham Construction Pavement Patching Bid

INVITATION TO BID..... 00020

SEALED BIDS for **Pavement Patching, Curb and Gutter Patching, Sidewalk Replacement, & Sidewalk ADA Ramp Replacement**, Independence, KS will be received by **City Clerk, 120 N 6th Street, Independence, Kansas 67301** until **2:00 P.M., December 19, 2024**, and then publicly opened and read aloud.

The Owner reserves the right to waive any informalities or minor defects and to reject any or all bids and to readvertise and rebid and/or negotiate with any or all bidders.

No bidder may withdraw his bid within 60 days after the actual date of the opening thereof.

Bidders with questions concerning the project may contact: Shawn Turner, P.E., TranSystems, 115 South 6th Street, Suite B, Independence, Kansas 67301 or by email at sdturner@transystem

BID.....**0410**

PROPOSAL of _____

hereinafter referred to as BIDDER,

- * a corporation arranged under the laws of the State of Kansas
- * a partnership consisting of
- * an individual d/b/a

TO: The City of Independence, Kansas, referred to as OWNER,

In response to your Invitation to Bid and having carefully examined the specifications and related documents, all addenda thereto, the project site and conditions related thereto, the BIDDER hereby proposes to perform all work for **Pavement Patching, Curb and Gutter Patching, Sidewalk Replacement, Sidewalk ADA Ramp Replacement** in strict accordance with these Contract Documents, within the period(s) of time set out herein, and for the price(s), stated hereinafter.

By submission of this Bid, BIDDER certifies, and in the case of a joint Bid, each party thereto certifies as to his own organization, that this Bid has been arrived at independently without consultation, communication, agreement, collusion, or understanding with any other Bidder submitting a Bid for this Project.

The OWNER envisions awarding three contracts for each bid item that will be funded through three separate municipal budgets. The three contracts will be:

1. Water/Sewer
2. Street Department
3. Sidewalk Repairs

BIDDER hereby agrees that if this Bid is accepted, BIDDER will, within fourteen (14) consecutive calendar days, after the date of Notice of Award, enter into an Agreement.

BIDDER acknowledges receipt of the following ADDENDA:

NO.

DATE

BID SCHEDULE

Bid Prices shall be written in both word and numerals. In case of discrepancy, the bid price as written in words shall govern. Bidder understands and acknowledges in offering this Bid that the bid price in the Bid Schedule represents a summary price of all major items of construction required for the proposed work. Bidder further assures and acknowledges that each unit or lump sum bid price includes the cost of all adjacent, incidental, related, and companion items which are shown on the drawings, called for in the specifications, or otherwise necessary to provide a complete and functioning project.

The OWNER reserves the right to increase, decrease, or delete from the Project quantities of work at the Unit Bid Price or Lump Sum Price in order to bring the total contract price to the budgeted project expenditures.

BID

<u>Item No.</u>	<u>Units</u>	<u>Prices Written in Words</u>	<u>Dollars Cents</u>
1-1	1 SY	Pavement Patching. Includes Excavation, compacted granular stone, Sawcutting, cast in place concrete, And all other items required to complete The patching. Complete & in Place <u>One Hundred</u> <u>+ Eighty Five + Zero Cents</u> /SY	\$ <u>185.00</u>
1-2	1 LF	Curb and Gutter Patching. Includes Excavation, compacted granular stone, Sawcutting, cast in place concrete, And all other items required to complete The patching. Complete & in Place <u>One</u> <u>Hundred Dollars + Zero Cents</u> /LF	\$ <u>100.00</u>
1-3	1 SY	Sidewalk Replacement. Includes Excavation, compacted granular stone, Sawcutting, cast in place concrete, And all other items required to complete The sidewalk Replacement. Complete & in Place <u>One Hundred</u> <u>+ Twenty Dollars + Zero Cents</u> /SY	\$ <u>120.00</u>
1-4	1 SY	Sidewalk ADA Ramp Replacement. Includes Excavation, compacted granular stone, Sawcutting, cast in place concrete, And all other items required to complete The sidewalk ADA ramp replacement. Complete & in Place <u>Two Hundred</u> <u>+ Thirty Dollars + Zero Cents</u> /SY	\$ <u>230.00</u>

Amounts are to be shown in both words and figures. In case of discrepancy, the amounts written in words will govern.

BIDDER understands and acknowledges that the bid items shown in this proposal represent a

summary of all major components of construction required; and is set forth to facilitate the comparison of bids; and to provide a basis for any future negotiations that may be necessary.

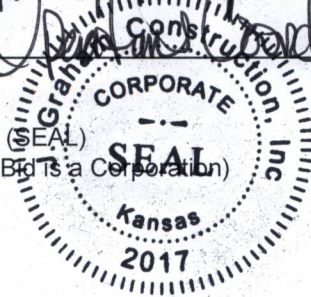
BIDDER further understands and acknowledges that the bids on the different items on the Bid Schedule must be balanced within reasonable limits.

ATTEST:

By

Title

(If Bid Is a Corporation)



Respectfully submitted,

Name of Contractor

Address (Including Zip Code)

J. Graham Construction, Inc.

Steve J. Graham
President

70874 / 1306 S. Elm

Chapelle KS 67337

Sidewalk, Sidewalk Ramp, Curb and Gutter and Pavement Patching

1. GENERAL

- 1.1 Description: The work of this section consists of roadway surface patching replacement as specified herein. Existing surfaces shall include:
1. Existing concrete sidewalks
 2. Existing concrete curb and gutter
 3. Existing municipal streets with surfacing of asphalt, brick, and Portland Cement Concrete.

2. METHODS

- 2.1 Place compacted AB-3 Base and PCCP Surfacing: Place compacted AB-3 Base at optimum moisture, uniformly at specified areas. Material shall be placed to a density not less than ninety-five percent (95%) of standard density at optimum moisture. Maximum compacted thickness shall not exceed six inches.
- 2.2 Sidewalks, sidewalk ramps, curb and gutter: The areas to be replaced shall be designated by the City.

Replacement of sidewalk, sidewalk ramp, and curb and gutter areas shall consist of the following:

1. Saw cut areas to be patched full depth and to neat lines.
 2. Excavate the existing material to a depth of:
A) 6 inches below subgrade for sidewalk and ramps
B) 12 inches below finished grade and remove from site to an approved disposal site.
 3. Place Compacted AB-3 material with optimum moisture to a full depth below finished grade and to the required density.(6 inches below sidewalks, 12 inches below curb and gutter)
 4. Place Concrete with a minimum of 5000 psi strength and protect from freezing or high temp. depending upon time of year.
 5. A broom finish must be obtained as a final product with no more than a 1% cross slope on sidewalk and sidewalk ramps. Widths and running slope of sidewalk and ramps shall meet all ADA and PROWAG requirements.
 6. A Mix design of the Concrete shall be submitted prior to placement a minimum of 10 days prior to placement and a location of the AB-3 material shall be submitted 10 days prior to excavation of the selected sites for approval of the Engineer
 7. Before excavation of the selected sites, the Contractor shall verify the dimensions specified on the attached documents and if any variation is found, the contractor must obtain prior approval from the City prior to any work being performed in that area or the excess area and cost will be on the Contractor.
- 2.3 Pavement Patching: The areas to be patched have been previously excavated and backfilled by the City of Independence Public Works Department. These areas may include water line repairs, sanitary sewer main repairs, storm sewer repairs or failed pavement that has been removed and backfilled with gravel and or other material.

Pavement Repair: Repair of the designated roadway areas shall consist of the following:

1. Saw cut areas to be patched full depth and to neat lines.
2. Excavate the existing backfill material to a depth of 18 inches below finished grade and remove from site to an approved disposal site.

3. Place Compacted AB-3 material with optimum moisture to a depth of 12 inches below finished grade and to the required density.
4. Place 12 inches of PCCP High Early Strength Concrete with a minim of 5000 psi strength and protect from freezing or high temp. depending upon time of year.
5. A broom finish must be obtained as a final product with no more than a 3/8" difference in elevation from the existing surrounding surface on any side of the patched area.
6. A Mix design of the Concrete shall be submitted prior to placement a minimum of 10 days prior to placement and a location of the AB-3 material shall be submitted 10 days prior to excavation of the selected sites for approval of the Engineer
7. Before excavation of the selected sites, the Contractor shall verify the dimensions specified on the attached documents and if any variation is found, the contractor must obtain prior approval from the City prior to any work being performed in that area or the excess area and cost will be on the Contractor.

3. **MEASUREMENT AND PAYMENT**

- 3.1 The pavement patching shall be measured and paid for as designated in the bid schedule. The payment shall include all excavation, saw cutting, granular stone, formwork, labor, concrete and all other incidental items to complete the work.



REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
January 9, 2025

Department Public Works & Utilities

Director Approval John Garris

AGENDA ITEM Consider authorizing an agreement with Shift-S3ctor, LLC to hold a racing event at Independence Municipal Airport.

SUMMARY RECOMMENDATION Authorize agreement.

BACKGROUND Shift-S3ctor, LLC has requested use of the Independence Municipal Airport on July 12 and 13, 2025 for the purpose of holding a racing event. This is a similar request as has been granted in 2020, 2021, 2022, 2023, and 2024. It is felt that this event brings significant exposure to the City as well as providing a revenue opportunity for local businesses. This event will require FAA approval.

Textron Aviation has indicated that they find the event acceptable from a business standpoint and that it will not interrupt their planned operations.

FINANCIAL INFORMATION Overtime will be required for two airport employees, which will be covered by the fee.

SUGGESTED MOTION I move to allow Shift S3ctor, LLC to hold the event as described, pending FAA approval, and authorize the execution of any necessary documents.

SUPPORTING DOCUMENTS

1. Kansas - Airport Use Agreement - 2025

AIRPORT USE AGREEMENT

THIS AGREEMENT made and entered into as of December 17th, 2024, by and between the City of Independence, Kansas (“City”) and Shift-S3ctor, LLC, a California limited liability company (“SS3”). In consideration of the promises, mutual covenants, undertakings, fees to be paid as herein expressed and the mutual benefits to be realized by the parties pursuant hereto, City and SS3 agree as follows:

1. LICENSED FACILITY:

City hereby licenses to SS3 on the terms and conditions set forth herein, the non-exclusive use of portions of the Independence Municipal Airport as determined between the parties, subject to all restrictions, covenants and conditions set forth in this Agreement.

2. AIRPORT MODIFICATIONS:

SS3 accepts the Facility in its present condition and all modifications shall be made by SS3 at its expense. SS3 has inspected the Facility and finds it suitable for its purposes. City makes no representation or warranty whatsoever, except as expressly set forth in this Agreement. SS3 shall make no modifications to the Facility without prior written approval of City.

3. REQUIREMENTS OF UNITED STATES OF AMERICA:

A. It is expressly understood and agreed that this License is subject to and subordinate to and controlled by all provisions, stipulations, covenants and agreements contained in those certain in contracts, agreements, resolutions and actions of City constituting agreements between City and the United States of America and its agents including but not limited to, the Federal Aviation Administration (FAA) and all regulations now and hereafter imposed upon the City. The City shall not be liable to SS3 on account of any of the foregoing matters and all of such contracts, agreements, resolutions, laws and regulations are incorporated herein by reference. If for any reason the FAA does not allow this event to occur then the City will not be liable for any damages to SS3 or any other party.

B. SS3 further agrees that it is knowledgeable and cognizant of the rules and regulations of the FAA. All flight activities will be conducted under the supervision of the FAA and City.

4. OCCUPANCY OF FACILITY:

SS3 may conduct an automotive exhibition and racing event (collectively the “Race”) for public display on July 12th and 13th, 2025 (the “Term”) at the Facility.

5. USE OF FACILITY:

A. Except as otherwise provided herein, SS3 may use the Facility for the purpose of conducting the Race and uses incidental thereto including display and sale of souvenirs and beverages and confections.

B. During the periods when the Race is being conducted and for such periods before and after such activity as may be authorized by City, SS3 shall have the use of additional areas of the Facility as determined between the parties.

C. Not less than 60 days prior to occupancy of the Facility, SS3 shall submit to the Airport Manager (“Manager”) a complete plan showing the proposed location of all activities, equipment and facilities during all stages of preparation for or conduct of actual Race displays and an outline of its plans for the control of vehicular and pedestrian traffic, the sale and collection of admissions and the placement and nature of any concession stands. These plans shall be subject to the Manager’s approval and no installations or physical preparations shall be made on the Facility without first obtaining proper authorization from the Manager.

D. SS3 will coordinate with the City and the Manager for entry/exit of the airport days prior to and after the event for potential set-up and tear down, as well as any promotional pictures, videos, or other media that may need to be taken on the premises. Bleachers, portable restrooms and any other equipment related to the event may not be set up or staged more than 7 days prior to the event and shall be removed within 7 days of the end of the event, unless prior approval is given by the City. SS3 will minimize impacts to airport operations during these activities.

E. SS3 is hereby granted the right to charge admission to all persons entering the Facility throughout the entire period of occupancy, including, without limitation, persons entering designated areas to witness the Race, provided however, nothing in this paragraph shall authorize SS3 to charge admission fees to anyone who is legitimately entitled to entry for other purposes, including but not limited to, aircraft owners, hanger tenants, any person who is an employee of Facility or any FAA employee on official business.

F. No other person may conduct any concessions, sales, promotions, ticket sales or other activities interfering or competing with the Race during the period SS3 has occupancy of the Facility.

G. SS3 shall have the exclusive right to conduct the Race during the time it is occupying the Facility.

H. SS3 will secure a fully executed Waiver of Liability from each racing participant before allowing such participant to race. Upon request, SS3 will furnish City a copy of all signed Waiver of Liability forms.

I. SS3 shall also coordinate with the City of Independence, Kansas Fire Department and City of Independence, Kansas Police Department for any necessary or required

services and SS3 shall be responsible for the cost or such services directly related to the Race. All payment arrangements between SS3 and the City of Independence, Kansas Police and Fire Departments shall be satisfied upon terms agreed between the parties.

J. SS3 acknowledges that, although unlikely, damage may be caused to the runway and the taxiways at the Airport. SS3 agrees to repair any damage to the Airport premises caused by the Race within 24 hours of receipt of written notice by City. If repairs are necessary, the Airport will be returned to a condition as good as or better than the condition the premises were in immediately before the Race. Any needed repairs will be made at the sole cost and expense of SS3. Should SS3 fail to repair the damage within this period, SS3 shall pay, in addition to the cost of the repair, a penalty of 20% above the cost of repair. Notwithstanding the foregoing, should SS3 use its best efforts to repair within 24 hours, but a delay is caused by forces outside of the control of SS3, this penalty shall not be owed.

6. AIRPORT ACTIVITIES:

A. SS3, its members, employees, patrons, guests and invitees shall be allowed access to the Facility only over routes to be designated by the City.

B. SS3 is authorized, and encouraged to construct necessary temporary fences, barricades, building and signs for crowd handling purposes and provide, office, reception and concession facilities in an area designated by the City. Immediately after completion of activities each day SS3 shall move to locations acceptable to City all items which may interfere with normal operations at the Airport, shall clean up all trash, debris and operations at the Airport and shall leave the premises in a clean and neat condition acceptable to City Prior to termination of occupancy of the Facility, SS3 will remove all temporary fences, barricades, buildings, and signs and all trash and debris from the Airport and restore the Facility to a condition acceptable to the City. SS3 shall maintain a sufficient number of trash receptacles as acceptable by City, and placement in locations that City deems acceptable. SS3 shall make hourly sweeps across the property, ramp areas, and runway for trash and debris control. In addition, at the close of the event hours each day, SS3 along with a City official shall do a sweep of all premises for any trash or debris, to maintain FAA and City standards. SS3 and City shall also take photographic evidence at the beginning and close of each event to ensure the property is left in the condition as it was received, and to document and debris or damage.

C. SS3 further agrees to provide adequate, separate portable restroom facilities for men and women during the term of its occupancy of the Facility.

D. During the period of time that the Race is actually being conducted, City may reasonably restrict activities at the Facility as shall be mutually agreed on, to allow the Race to be held in a safe and satisfactory manner while reasonably providing for the needs of the flying public. The Airport will not be closed at any time.

E. SS3 agrees that it will not do or suffer to be done anything at the Airport during the term hereof in violation of any Federal, State or Local laws, ordinances, rules or

regulations, and that if City, calls the attention of SS3 to any such violation on the part of SS3 or any person employed by or admitted to the Facility by SS3, then SS3 will immediately desist from and/or correct such violations.

7. LICENSE FEE:

For use of the Facility in accordance with the terms of this Agreement, SS3 shall pay City the sum of Five Thousand Dollars (\$5,000.00) no later than July 12th, 2025, or any other time as may be agreed between the parties.

8. SS3 OBLIGATIONS:

The obligations of SS3 to perform SS3's obligations under this Agreement shall be absolute and unconditional, unless City defaults as provided in Paragraph 10. SS3 will not terminate this Agreement, except as provided herein.

9. QUIET ENJOYMENT:

City agrees that SS3, upon complying with the covenants and conditions hereof, shall and may quietly have, hold and enjoy the Facility pursuant to the terms of this Agreement.

10. DEFAULT AND TERMINATION:

Each of the following events shall be deemed to be an Event of Default under this License:

1. Failure of SS3 to pay any License Fee or any other sum payable to City hereunder by the date that sum is due to timely satisfy their financial obligation for the Race.
2. Failure of SS3 or City to comply with a term, condition, or covenant of this Agreement.
3. Insolvency, the making of a transfer in fraud of creditors, or the making of an assignment for the benefit of creditors by SS3 of SS3's obligations.
4. Filing of a petition under any section or chapter of the United States Bankruptcy Code, as amended or under any similar law or statute of the United States of any State thereof by SS3, or adjudication as bankrupt or insolvent in proceedings filed against SS3 or such guarantor.
5. Appointment of a receiver or trustee for all or substantially all of the assets of SS3 or any guarantor of SS3's obligation.
6. Abandonment by SS3 of any substantial portion of the Facility or cessation of use of the Facility for the purposes of the License.

11. EXCUSE OF PERFORMANCE BY REASON OR FORCE MAJEURE

Neither City nor SS3 shall be required to perform any term, condition, or covenant in this Agreement so long as such performance is delayed or prevented by Force Majeure, which shall mean acts of God, strikes, lockouts, material or labor restrictions by any government authority, civil riots, floods, or any other cause not reasonable with in the control of City or SS3 and which by the exercise of diligence City or SS3 is unable, wholly or in part, to prevent or overcome.

12. SURRENDER OF FACILITY

SS3 covenants and agrees to yield and deliver peaceably to City possession of the Facility on the date of cessation of occupancy under this Agreement, whether such be termination, expiration or otherwise, promptly and in as good condition as at the commencement of this Agreement.

13. ASSIGNMENT AND SUBLICENSE:

SS3 shall have no authority to assign or sublicense any portion of this Agreement or otherwise convey any interest in the Facility to a third party or parties without obtaining prior written consent of City. In the event of any assignment of sublicense, SS3 shall remain the principal obligor under all covenants of this Agreement. By accepting any assignment or sublicense, assignee or sublicense shall become bound by and shall perform, and shall become entitled to the benefits of all the terms, conditions and covenants of this Agreement.

14. LIABILITY INSURANCE:

SS3 agrees that it will at all times during the term of this Agreement, at its own expense, carry and maintain comprehensive general liability insurance on the Facility and the Facility in minimum amounts per accident of One Million Dollars (\$1,000,000.00) for bodily injury and property damage, in which City shall be named as an additional insured. Such policies shall provide that same shall not be cancelled without thirty (30) days prior written notice to City. Such proof of insurance shall be delivered to the City no later than July 12th, 2025.

15. PERMITS, LICENSES AND AUTHORIZATIONS:

SS3 shall at its own expense, procure any necessary permits, licenses and other authorizations required for the lawful and proper use, occupancy, operations and management of the Facility and pay all lawful taxes on income received. City agrees to cooperate with SS3 to assist in securing such permits, licenses and authorizations insofar as the same are issued under City's jurisdiction.

16. IDENTIFICATION:

SS3 may install on the Facility, temporary signs or other identification of the Race. The size, type, design and locations of such signs or other identification will be subject to City's prior written consent.

17. NO WAIVER:

Failure on the part of City or SS3 to complain of any action or non-action on the part of the other shall not be deemed to be a waiver of any of their respective rights hereunder. The consent or approval by either party to or of any action by the other requiring consent or approval shall not be deemed to waive or render unnecessary the consent or approval to or of any subsequent similar act.

18. PARTIAL INVALIDITY:

If any term or provision of this Agreement or the application thereof to any person or circumstance shall, to any extent, be invalid or unenforceable, the remainder of this Agreement and the application of such term or provision to persons or circumstances other than those as to which it is held invalid or unenforceable shall not be affected thereby, and each term and provision of this Agreement shall be valid and be enforceable to the fullest extent permitted by law.

19. INDEMNIFICATION:

SS3 agrees to defend, save, hold harmless, and indemnify the City, its officers, agents, and employees from all claims, suits, or actions of whatever nature resulting from or arising out of the activities of SS3 or its officers, agents, or employees. SS3 shall not be required to indemnify or defend City for any liability arising out of the intentional acts or negligence of City, its officers, agents, employees or otherwise.

20. CONFIDENTIALITY:

City understands that in performing this Agreement they may have access to private, proprietary and/or confidential information relating to SS3. The event, as well as any and all ideas and concepts regarding logistics, equipment, marketing, development, or otherwise represent Confidential Information of SS3. With respect to all such information and any other information that the disclosing party may treat as confidential the other party agrees that the information will:

- Remain the exclusive property of the disclosing party
- Not be copied, published or disclosed by the other party to others unless approved in writing.
- Be used solely in each party's performance of this Agreement.
- Be returned to the disclosing party upon termination of this Agreement.

Each party agrees that its obligations provided in this Agreement are necessary and reasonable in order to protect the disclosing party and its business, and each party expressly agrees that monetary damages would be inadequate to compensate the disclosing party for any breach by the receiving party of its covenants and agreements set forth in this Agreement. Accordingly, each party agrees and acknowledges that any such violation or threatened violation will cause irreparable injury to the disclosing party and that, in addition to any other remedies that may be available, in law, inequity or otherwise, the disclosing party shall be entitled to obtain injunctive relief against the threatened breach of this Agreement or the continuation of any such breach by the receiving party,

without the necessity of proving actual damage. The parties concur that the City is subject to the Kansas Open Records Act and any record subject to such act is not subject to this Paragraph 20.

21. INSPECTION BY CITY:

SS3 shall permit City and City's agents, representatives, and employees to enter into and on the Facility at all reasonable times for the purpose of inspection, maintenance, making repairs or alteration to the Facility or any other purpose necessary to protect City's interest in the Facility.

22. NOTICES:

All notices, consents, waivers or other communications permitted or required hereunder shall be delivered by hand delivery, by United States Certified Mail postage prepaid return receipt request or by telegram, addressed as follows:

For the City:

Jason Barton
499 Freedom Dr
Independence, KS 67301

For SS3:

Ryan Fisher
2934 1/2 N. Beverly Glen Circle #180
Los Angeles, CA 90077

or to such address as may be designated in writing by either party.

23. ADDITIONAL DOCUMENTS:

Each party hereto agrees to execute and deliver any additional documents, which may be necessary or desirable in carrying out the terms of this Agreement.

24. ENTIRE AGREEMENT

This Agreement embraces the entire agreement of the parties mentioned herein pertaining to the Facility and no statement, remark, agreement, or understanding, either oral or written, not contained herein shall be recognized or enforced as it pertains to the License of the Facility, except that this Agreement may be modified by written amendment agreed to and signed by all pertinent parties and attached hereto.

25. HEADINGS AND CAPTIONS

The captions and headings are inserted solely for the convenience of reference and are not part of nor intended to govern, limit, or aid in the construction of any provision hereof.

26. AUTHORITY

The parties to this Agreement hereby acknowledge and agree that they are the principals to this License and have the power, right, and authority to enter into this Agreement and are not acting as an agent for the benefit of any third party.

27. GOVERNING LAW

This Agreement shall be governed by the laws of the State of Kansas.

28. SEVERABILITY

If any section, sentence or phrase entered in this Agreement is held to be illegal or unenforceable by a court of competent jurisdiction, such illegality or unenforceability shall not affect the remainder of this Agreement and, to this end, the provisions of this Agreement are declared to be severable.

29. INTERPRETATION.

The parties hereto acknowledge and agree that (i) each party has reviewed the terms and provisions of this Agreement; (ii) the rule of construction to the effect that any ambiguities are resolved against the drafting party shall not be employed in the interpretation of this Agreement; and (iii) the terms and provisions of this Agreement shall be construed fairly as to all parties hereto and not in favor or against any party, regardless of which party was generally responsible for the preparation of this Agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement by their duly authorized representatives on the dates specified below.

City of Independence, Kansas:

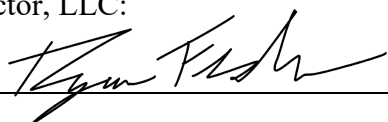
By: _____

Date: _____

Name: _____

Title: _____

Shift-S3ctor, LLC:

By:  _____

Date: 12/17/2024

Ryan Fisher, Partner and Legal Counsel



**REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
January 9, 2025**

Department Admin

Director Approval David Cowan

AGENDA ITEM Public Hearing to consider the condemnation of 1204 W. Myrtle Street as dangerous and unsafe

SUMMARY RECOMMENDATION City Staff recommends giving the owner time to make repairs.

BACKGROUND The structure at 1204 W. Myrtle Street was identified as a concern due to the lack of utility service for over a year, the presence of large holes in the roof, and debris scattered throughout the front and rear of the property. City staff contacted the owner, who no longer resides at the residence; however, family members are currently occupying the structure. Since receiving the City's initial notice regarding the condemnation process, the owner has been working on repairing the property. They intend to submit a detailed timeline outlining the necessary repairs to make the structure habitable.

City Staff will provide updated photos and any timelines submitted for the commission review at the meeting.

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

SUGGESTED MOTION I move to adjourn the Public Hearing until June 26, 2025 at 5:30 PM.

SUPPORTING DOCUMENTS

1. 1204 W. Myrtle - Notice of Public Hearing 121224
2. 1204 W. MYRTLE PARCEL
3. OE - 1204 W. Myrtle
4. 1204 W Myrtle Slide
5. Timeline Discussion_Redacted



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

December 12, 2024

Paulette Hansen
1204 W. Myrtle
Independence, Ks. 67301

**RE: Notice of Public Hearing to Consider Condemnation of Property Located at:
1204 W. Myrtle St. – Independence, Kansas**

Dear Sir:

The City of Independence has received a report from the Enforcing Officer indicating that the structure(s) located at **1204 W. Myrtle Street** have been found to be unsafe and dangerous in accordance with Kansas Statutes Annotated (K.S.A.) 12-1750 et seq. The conditions observed include **No utilities 1 years, Exterior condition of structure, roof,**

In accordance with state law, you are hereby notified that the City Governing Body has scheduled a public hearing to consider the condemnation of this structure. At this hearing, you, your agent, any lienholders of record, and any occupants of the property will have the opportunity to present evidence and show cause why the structure should not be condemned and ordered repaired or demolished.

Public Hearing Details:

- Date: **January 9, 2025**
- Time: **5:30 PM**
- Location: **120 N. 6th Street – City Commission Room**

A resolution outlining the time and place of this hearing will be published in the **Independence Reporter**.

Please note that if the Governing Body determines that the structure is indeed unsafe or dangerous, an order of condemnation may be issued directing the repair or removal of the structure. You may request a reasonable timeframe (submit a timeline of repairs) within which to commence repair or removal of the structure at the time of the Public Hearing.

Failure to take action and submit a timeline of repair or removal, within 30 days of the commission action (***if condemned***) will result in the City seeking bids for the demolition and clearing the lot at the owner's expense.

If you have any questions regarding this matter or require additional information, please contact **David Cowan, 620.332.2528 voice, or davidc@independenceks.gov email**

Thank you for your attention to this matter.

David Cowan



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

Assistant City Manager
City of Independence
120 N. 6th Street
Independence, Kansas 67301

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The Parcel Number for this Property is 063-087-36-0-20-02-021.00-0
Quick Ref ID: 4213

Owner Information

Owner Name	HANSEN, PAULETTE
Address	1204 W MYRTLE ST INDEPENDENCE, KS 67301

Property Situs Address

Address	1204 W MYRTLE ST, Independence, KS 67301
----------------	--

Land Based Classification System

Function	Single family residence (detached)
Activity	Household activities
Ownership	Private-fee simple
Site	Developed site - with buildings

General Property Information

Prop Class	Residential - R
Living Units	1
Zoning	
Neighborhood	108.F
Tax Unit Group	108

Property Factors

Topography	Level - 1
Utilities	All Public - 1
Access	Paved Road - 1 Alley - 7
Fronting	Residential Street - 4
Location	Neighborhood or Spot - 6
Parking Type	On and Off Street - 3
Parking Quantity	Adequate - 2
Parking Proximity	On Site - 3
Parking Covered	
Parking Uncovered	

2024 Appraised Value

Class	Land	Building	Total
Residential - R	2,190	4,190	6,380
Total	2,190	4,190	6,380

2023 Appraised Value

Class	Land	Building	Total
Residential - R	770	1,460	2,230
Total	770	1,460	2,230

Tract Description

MCLAUGHLIN ADD, S36, T32, R15, Lot 11, Lot Width: 050.0 Lot Depth: 140.0 Plat Book/Page 4 /28 Deed Book/Page 714 /809 677 /370 676 /757 542 /636 477 /010 474 /423 391 /721 337 /374

Deed Information

Book1	Page1	Book2	Page2	Book3	Page3	Book4	Page4
714	809	677	370	676	757		

Market Land Information

Method	Type	AC/SF	Eff FF	Depth	D-Fact	Inf1	Fact1	Inf2	Fact2	Ovrd	Class	Value Est
Sqft	Primary Site - 1	7000				8	50					2,190

Dwelling Information

Dwelling Information		Comp Sales Information	
Res Type	Single-family Residence	Arch Style	Bungalow
Quality	LO+	Bsmt Type	Full - 4
Year Built	1900	Total Rooms	5
Eff Year		Bedrooms	2
MS Style	1 1/2 Story Unfinished	Family Rooms	
LBCSStruct	Detached SFR unit	Full Baths	1
No. of Units		Half Baths	
Total Living Area		Garage Cap	
Calculated Area	1,006	Foundation	Brick - 5
Main Floor Living Area	1,006		
Upper Floor Living Area Pct.			
CDU	VP		
Phys/Func/Econ	VP/ /		
Ovr Pct Gd/RCN	/139,720		
Remodel			
Percent Complete			
Assessment Class			
MU Cls/Pct			

Dwelling Components

Code	Units	Pct	Quality	Year
Wood Deck (SF) with Roof	200			
Composition Shingle		100		
Raised Subfloor (% or SF)		100		
Plumbing Fixtures (#)	5			
Automatic Floor Cover Allowance				
Frame, Siding, Wood		100		
Total Basement Area (SF)	1,006			

Warmed & Cooled Air		100		
Plumbing Rough-ins (#)	1			
Wood Deck (SF)	36		1	1994
Open Slab Porch (SF)	200			

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Report Cover Page

Date:	10/30/2024	Prepared For:	City of Independence
Order No.:	3099666	Owner(s):	Paulette Hansen
Issuing Office:	Security 1st Title 114 N. Pennsylvania Avenue Independence, KS 67301	Property Address:	1204 W MYRTLE ST, Independence, KS 67301

Note: The documents linked in this report should be reviewed carefully. These documents, such as covenants conditions and restrictions, may affect the title, ownership and use of the property. You may wish to engage legal assistance in order to fully understand and be aware of the implications of the effect of these documents on your property.

Tax Information:

[087-36-0-20-02-021.00-0](#)

Date: October 30, 2024
Property Address: 1204 W MYRTLE ST, Independence,
KS 67301

File No.: 3099666
Title Contact: Mary Jo Wallis
Contact E-mail: mwallis@security1st.com

OWNERS AND ENCUMBRANCES REPORT

For the exclusive use of:

City of Independence
David Cowan
109 N. 6th
Independence, KS 67301

Effective Date of this Report: October 04, 2024 at 7:00 A.M.

On Real Estate described as:

Lot 11, McLaughlin's Addition to the City of Independence, Montgomery County, Kansas

The Public Records located in Montgomery County indicate that:

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

Paulette Hansen

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

The County Tax Records indicated that the real estate taxes are:

General taxes and special assessments for the fiscal year 2023 in the original amount of \$43.98.

First Installment: \$21.99, DELINQUENT

Second Installment: \$21.99, DELINQUENT

Property I.D. # 063-087-36-0-20-02-021-00-0-01

PIN # IC 3297

1. The County Tax Records indicated that the real estate taxes are:

General taxes and special assessments for the year 2022 in the amount of \$50.08, DELINQUENT.

2. The County Tax Records indicated that the real estate taxes are:

General taxes and special assessments for the year 2021 in the amount of \$45.16, DELINQUENT.
3. The County Tax Records indicated that the real estate taxes are:

General taxes and special assessments for the year 2020 in the amount of \$44.48, DELINQUENT.
4. Note: Title to the Land was derived through a tax sale held on October 19, 2018, under a tax foreclosure proceeding in Case No. 18 CV-29 C.. The Sheriff's Deed was recorded on November 06, 2018, as Book 676, page 757.

If asked to issue a title policy, we would make the following requirements:

1. Due to the lack of personal service to the prior owners, we require a deed(s) from Mark Olson, stating marital status and joined by spouse, if any, to the current applicant owner(s); or
2. Proof, satisfactory to the Company, that personal service of summons was made upon any owner or lienholder in said tax foreclosure proceeding; or
3. Completion of a Quiet Title action, which evidences personal service of summons to any owner or lien holder of the subject property.

In view of the fact that some defendants will necessarily be/have been notified of the pendency of the above suit by publication, the title will be unmarketable as to those parts of the premises in question as to which the quiet title is/was necessary for a period of 2 years or 3 months for sale for value under KSA 60-309, after the decree, which is to be recorded, is/was entered.

Any policy issued prior to the expiration of said period will contain the following exceptions:

"Unmarketability of title until the allotted time to appeal the quiet title decree has expired."

"Right of any party interested, by appeal or by any other direct proceeding, to have set aside, modified, vacated, annulled, reversed or declared of no force and effect within the time allowed by law, the Order entered in the quiet title action filed under Case No. _____, filed on _____."

We reserve the right to make additional requirements as we may deem necessary.

5. Kansas State Tax Lien, filed March 01, 2021, as MGI-2021-ST-000117 against Paulette M. Hansen, in the amount of \$1,322.34, plus interest and costs.
6. Kansas State Tax Lien, filed May 19, 2022, as MGI-2022-ST-000207 against Indie Book and Moore, Paulette M. Hansen, in the amount of \$1,845.24, plus interest and costs.
7. Kansas State Tax Lien, filed July 12, 2022, as MGI-2022-ST-000259 against Indie Book and Moore, Paulette M. Hansen, in the amount of \$426.67, plus interest and costs.
8. Kansas State Tax Lien, filed October 07, 2022, as MGI-2022-ST-000341 against Paulette M. Hansen, in the amount of \$214.29, plus interest and costs.
9. Kansas State Tax Lien, filed March 31, 2023, as MGI-2023-ST-000113 against Paulette M. Hansen, in the amount of \$428.57, plus interest and costs.

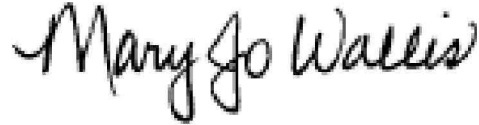
10. Kansas State Tax Lien, filed June 23, 2023, as MGI-2023-ST-000195 against Paulette M. Hansen, in the amount of \$430.00, plus interest and costs.

This Report is limited to only the information described above.

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

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

Security 1st Title

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

Licensed Abstracter

Public hearing to consider the condemnation of 1204 W. Myrtle Street
as dangerous and unsafe.



SUGGESTED MOTION:
I move to adjourn the
hearing until June 26, 2025 at
5:30 PM.

From: [REDACTED]
To: [REDACTED]
Subject: Re: 1204 w Myrtle
Date: Thursday, October 24, 2024 12:22:01 PM

Ok thank you. I will talk with my husband and see what we can do when he's available for the HQS. The kids and I don't stay there until the house is up to par. I know in two weeks we will start on the windows. The porch is what the extension may be needed for. That's what's going to cost us. Roofer says this weekend for the roof but has been telling me that for a month. We literally have only been working on the inside since all water lines were done for and floors were bad. So priority on outside will start now. Thank you

On Thu, Oct 24, 2024, 12:16 PM David Cowan <[REDACTED]> wrote:

Teresa,

The commission set a Public Hearing for January 9, 2025. What I need you to do between now and then is accomplish as much work as possible to improve the exterior of the house, roof, yard and make the home habitable to pass an HQS. On January 9th you can then present a timeline to finish repairs.

If you would like us to do a courtesy HQS and identify items to be repaired, we can arrange that at your convenience.

You will receive a letter from me regarding the January 9th date next week.

Any questions, please contact me.

Thanks,
David Cowan



Important: This e-mail and any attachments may contain confidential information subject to protection under the Federal Standards for Privacy of Individually Identifiable Health Information (45C.F.R. Parts 160 and 164). This communication, including attachments, is

for the exclusive use of an addressee and may contain proprietary, confidential, or privileged information. If you or your organization is a "Covered Entity" under the above-mentioned regulations, you are obligated to treat such information in a manner consistent with the regulations. If this e-mail and any files were sent to you in error, be advised that any use, dissemination, forwarding, printing, or copying of this e-mail and/or any files are prohibited. Please immediately delete it from your computer and any servers or other locations where it might be stored and e-mail davidc@independences.gov or call David Cowan, Asst. City Manager, at 620-332-2528 advising you have done so.

From: [REDACTED]
Sent: Thursday, October 24, 2024 11:27 AM
To: [REDACTED]
Subject: Re: 1204 w Myrtle

Good morning. I had a family emergency in Nebraska and I am back now. We will have a timeline of everything for you by Monday. The person who was paid to clear the backyard took the money and never showed up so I'm working in getting someone for that now. I have someone on the roof right now. In 2 weeks windows will be getting replaced. Lawn will be done by this weekend. Also, why can't our car be in the back yard? We will get it moved if need be. But like I said I will have a timeline to you asap.

On Fri, Oct 18, 2024, 5:58 AM [REDACTED] <[REDACTED]> wrote:

I'm working on it in-between two jobs to do so. House was abandoned for a year. Now Has all new water lines and All that trash was what was on the porch in the driveway and already in that back yard and the second I start to clean it up and start working on it you want to take the house. For a year she said she never had one letter from you'll. But that doesn't matter. Have a blessed day. We will get back to you soon..

----- Forwarded message -----

From: [REDACTED]
Date: Fri, Oct 18, 2024, 5:44 AM
Subject: Fwd: [1204 w Myrtle](#)
To: <[REDACTED]>

----- Forwarded message -----

From: David Cowan [REDACTED]

Date: Fri, Oct 18, 2024, 5:03 AM

Subject: RE: 1204 w Myrtle

To: Teresa Moore <[REDACTED]>
>

Teresa,

The Commission has directed us to enforce the maintenance code for structures throughout town. Ordinance No. 4466—Environmental Code is attached.

It is my understanding Paulette is a family member. You will need to provide us with a deed or proof of transfer of the property into your name and we can remove Paulette from the paperwork. Otherwise, the proceedings will continue in her name.

You are correct; we can only see the exterior of the structure. However, the structure's exterior has several concerns and obvious water intrusion into the house.:

1. Open or missing windows
2. Multiple holes, missing shingles, and condition of the roof in disrepair, allowing water leakage
3. Debris and trash scattered through the front and back yard; pile of debris, mattresses, vehicle in the back yard
4. Grass in need of mowing
5. Structure concerns front exterior porch/steps area

On the 23rd of October, we will set this structure for a Public Hearing on January 9, 2025. To avoid condemnation on January 9, 2025, we can schedule an inspection and you can submit a timeline of repairs addressing the items identified. If you can correct these issues by January 9, 2025, or you are making substantial progress, the condemnation process will be adjourned or stopped.

Please let me know a day and time you are available for an inspection, and we will establish a timeline of repairs. You can reach us at the following contact numbers:

- Code Enforcement: Erin Musgrove [REDACTED] or [REDACTED]
- [REDACTED] [.gov](#)

Please make contact with us ASAP to set up an inspection and timeline to avoid condemnation.

Best Regards,

David Cowan

Important: This e-mail and any attachments may contain confidential information subject to protection under the Federal Standards for Privacy of Individually Identifiable Health Information (45C.F.R. Parts 160 and 164). This communication, including attachments, is for the exclusive use of an addressee and may contain proprietary, confidential, or privileged information. If you or your organization is a "Covered Entity" under the above-mentioned regulations, you are obligated to treat such information in a manner consistent with the regulations. If this e-mail and any files were sent to you in error, be advised that any use, dissemination, forwarding, printing, or copying of this e-mail and/or any files are prohibited. Please immediately delete it from your computer and any servers or other locations where it might be stored and e-mail davidc@independenceks.gov or call David Cowan, Asst. City Manager, at 620-332-2528 advising you have done so.

From: Teresa Moore <wattsteresa32@gmail.com>

Sent: Thursday, October 17, 2024 5:32 PM

To: David Cowan <davidc@independenceks.gov>

Subject: [1204 w Myrtle](#)

For your concerns... The utilities have been on for 2 months. The roof is halfway done and should be finished by this weekend. On the 27th the house will be out of Paulette Hansen's name and into mine. The structure of the house is fine. How can you judge a structure from the sidewalk?? My husband is a contractor and the house is getting fixed. You gave us 45 days for the roof and we are still within that time frame.

[REDACTED]

[REDACTED]



REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
January 9, 2025

Department Admin

Director Approval David Cowan

AGENDA ITEM Public Hearing to consider the condemnation of 1309 W. Myrtle Street as dangerous and unsafe.

SUMMARY RECOMMENDATION City staff recommends condemnation as dangerous and unsafe.

BACKGROUND The trailer house at 1309 W. Myrtle has been without utility services for nine years, and its exterior and roof are in poor condition. The City initiated contact with the owner in response to complaints and the absence of utility services. However, there has been no response from the property owner to date.

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

SUGGESTED MOTION I move to adopt a resolution condemning 1309 W. Myrtle Street as dangerous and unsafe.

SUPPORTING DOCUMENTS

1. RESOLUTION 2025-003 - CONDEMNATION - DAYS - 1309 W Myrtle
2. 1309 W. Myrtle - Notice of Public Hearing 12122024
3. 1309 OE Report
4. 1309 W. MYRTLE PARCEL
5. 1309 W Myrtle Slide

RESOLUTION NO. 2025-003

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

Legal Description

Lots 6, 7, and 8, Jones Brothers and Potters Addition to the City of Independence, Montgomery County, Kansas

Common Address

1309 W Myrtle Street

Mortgage

WHEREAS, the Building Inspector of the City of Independence, Kansas, did on the 23rd day of October 2024, file with the Governing body of said City, a statement in writing that the structure, or structures, located on the above described tract/parcel is unsafe and/or dangerous; and

WHEREAS, the Governing body did by **Res. #2024—034**, dated **October 23, 2024**, fix a time and place of hearing at which time the owner, his or her agent, any lien holders of record and any occupant of such structure, or structures, could appear and show cause why such structure, or structures, should not be condemned and ordered repaired and/or demolished and further provided for the giving of notice thereof as provided by law; and

WHEREAS, such resolution was published in the official city newspaper on **October 31, 2024 and November 7, 2024**, a copy of such resolution and notice was mailed to the owner, his or her agent; any lien holders of record and any occupant of the structure, or structures, at his or her last known place of residence, at which hearing the governing body heard all persons and considered all evidence presented by interested parties, including the Building Inspector of the City of Independence, Kansas.

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

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

Legal Description

Lots 6, 7, and 8, Jones Brothers and Potters Addition to the City of Independence, Montgomery County, Kansas

Common Address

1309 W Myrtle Street

Mortgage

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

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

Adopted this 9th day of January, 2025.

(SEAL)

Mayor

City Clerk



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

December 12, 2024

Joseph Caldwell
224 Whelan St.
Cherryvale, Ks. 67301

**RE: Notice of Public Hearing to Consider Condemnation of Property Located at:
1309 W. Myrtle St. – Independence, Kansas**

Dear Sir:

The City of Independence has received a report from the Enforcing Officer indicating that the structure(s) located at **1309 W. Myrtle Street** have been found to be unsafe and dangerous in accordance with Kansas Statutes Annotated (K.S.A.) 12-1750 et seq. The conditions observed include **No utilities 9 years, Exterior condition of the structure, roof,**

In accordance with state law, you are hereby notified that the City Governing Body has scheduled a public hearing to consider the condemnation of this structure. At this hearing, you, your agent, any lienholders of record, and any occupants of the property will have the opportunity to present evidence and show cause why the structure should not be condemned and ordered repaired or demolished.

Public Hearing Details:

- Date: **January 9, 2025**
- Time: **5:30 PM**
- Location: **120 N. 6th Street – City Commission Room**

A resolution outlining the time and place of this hearing will be published in the **Independence Reporter**.

Please note that if the Governing Body determines that the structure is indeed unsafe or dangerous, an order of condemnation may be issued directing the repair or removal of the structure. You may request a reasonable timeframe **(submit a timeline of repairs)** within which to commence repair or removal of the structure at the time of the Public Hearing.

Failure to take action and submit a timeline of repair or removal, within 30 days of the commission action **(if condemned)** will result in the City seeking bids for the demolition and clearing the lot at the owner's expense.

If you have any questions regarding this matter or require additional information, please contact **David Cowan, 620.332.2528 voice, or davidc@independenceks.gov email**

Thank you for your attention to this matter.

David Cowan



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

Assistant City Manager
City of Independence
120 N. 6th Street
Independence, Kansas 67301

Report Cover Page

Date:	10/22/2024	Prepared For:	City of Independence
Order No.:	3099770	Owner(s):	Joseph Caldwell and Sherry Spencer
Issuing Office:	Security 1st Title 114 N. Pennsylvania Avenue Independence, KS 67301	Property Address:	1309 W MYRTLE ST, Independence, KS 67301

Note: The documents linked in this report should be reviewed carefully. These documents, such as covenants conditions and restrictions, may affect the title, ownership and use of the property. You may wish to engage legal assistance in order to fully understand and be aware of the implications of the effect of these documents on your property.

Tax Information:

063-087-36-0-20-06-017.00-0

Date: October 22, 2024
Property Address: 1309 W MYRTLE ST, Independence,
KS 67301

File No.: 3099770
Title Contact: Ronda Ballew
Contact E-mail: rballew@security1st.com

OWNERS AND ENCUMBRANCES REPORT

For the exclusive use of:
City of Independence
David Cowan

Effective Date of this Report: October 06, 2024 at 7:00 A.M.

On Real Estate described as:

Lots 6, 7 and 8, Jones Brothers and Potters Addition to the City of Independence, Montgomery County, Kansas

The Public Records located in Montgomery County indicate that:

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

Joseph Caldwell and Sherry Spencer

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

1. The County Tax Records indicated that the real estate taxes are:

General taxes and special assessments for the year 2023 in the amount of \$62.24, PAID.

Tax Parcel No. # 063-087-36-0-20-06-017.00-0

PIN # IC 4399

This Report is limited to only the information described above.

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

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

Security 1st Title

Mary Jo Wallis

Licensed Abstracter

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The Parcel Number for this Property is 063-087-36-0-20-06-017.00-0
Quick Ref ID: 4254

Owner Information

Owner Name	CALDWELL, JOSEPH
Address	224 WHELAN ST CHERRYVALE, KS 67335

Property Situs Address

Address	1309 W MYRTLE ST, Independence, KS 67301
----------------	--

Land Based Classification System

Function	Manufactured home site
Activity	Residential activities
Ownership	Private-fee simple
Site	Developed site - with buildings

General Property Information

Prop Class	Residential - R
Living Units	1
Zoning	
Neighborhood	108.F
Tax Unit Group	108

Property Factors

Topography	Level - 1
Utilities	All Public - 1
Access	Paved Road - 1 Alley - 7
Fronting	Residential Street - 4
Location	Neighborhood or Spot - 6
Parking Type	On and Off Street - 3
Parking Quantity	Adequate - 2
Parking Proximity	On Site - 3
Parking Covered	
Parking Uncovered	

2024 Appraised Value

Class	Land	Building	Total
Residential - R	2,430	1,210	3,640
Total	2,430	1,210	3,640

2023 Appraised Value

Class	Land	Building	Total
Residential - R	2,430	740	3,170
Total	2,430	740	3,170

Tract Description

JONES BROS & POTTERS ADD, S36, T32, R15, Lot 6 - 8, ACRES 0.22, Lot Width: 140.0 Lot Depth: 070.5 Plat Book/Page 6 /11 Deed Book/Page 721 /602 678 /1205 557 /319 540 /253 536 /316 456 /558 456 /557 389 /240 368 /316

Deed Information

Book1	Page1	Book2	Page2	Book3	Page3	Book4	Page4
736	1078	721	602	678	1205		

Market Land Information

Method	Type	AC/SF	Eff FF	Depth	D-Fact	Inf1	Fact1	Inf2	Fact2	Ovrd	Class	Value Est
Sqft	Primary Site - 1	9583				8	50					2,430

Manufactured Homes

Manufactured Home Information	
Res Type	6
Style	Singlewide
Year	1966
Eff Year	
Quality	UN
LBCSStruct	Manufactured home - single wide
Width	10
Length	48
CDU	VP
Class	
Phys/Fucn/Econ	VP- / /
Ovr Pct Gd/Rsn	
Tagalong Style	
Tag Width	
Tag Length	
Post Value	Yes

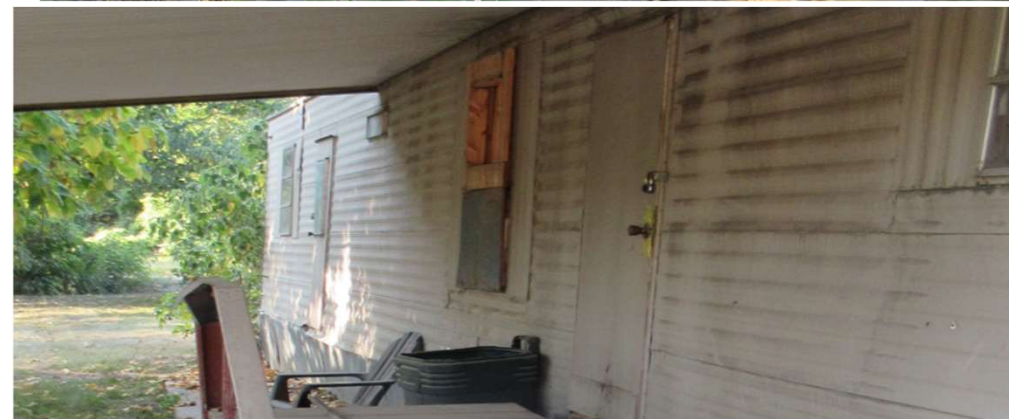
Manufactured Housing Components				
Code	Units	Pct	Quality	Year
Aluminum Sheet		100		
Automatic Floor Cover Allowance				
Plumbing Fixtures (#)	5			
Slab Porch (SF) with Roof	330		1	
Metal, Corrugated or Ribbed		100		
Plumbing Rough-ins (#)	1			
Warmed & Cooled Air		100		
Skirting, Metal or Vinyl, Vertical (LF)	116		1	

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TECHNOLOGIES

Public hearing to consider the condemnation of 1309 W. Myrtle Street
as dangerous and unsafe.



SUGGESTED MOTION:

I move to adopt a resolution condemning 1309 W. Myrtle Street as dangerous and unsafe.



**REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
January 9, 2025**

Department Admin

Director Approval David Cowan

AGENDA ITEM Public Hearing to consider the condemnation of 1123 W. Main Street as dangerous and unsafe.

SUMMARY RECOMMENDATION City Staff recommends condemnation of the structure.

BACKGROUND The structure at 1123 W. Main Street has been determined to be unsafe and dangerous in accordance with K.S.A. 12-1750 et seq. The observed conditions include the absence of utility services for two years, complaints from the community, and significant deterioration of the exterior and roof. The owner has met with the City and discussed potential timelines for repairs or the sale of the property; however, no further information has been provided as of December 12, 2024.

City staff recommends condemnation as dangerous and unsafe.

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

SUGGESTED MOTION I move to adopt a resolution condemning 1123 W. Main Street as dangerous and unsafe.

SUPPORTING DOCUMENTS

1. RESOLUTION 2025-004 - CONDEMNATION - DAYS - 1123 W Main
2. 1123 W. Main - Notice of Public Hearing 121224
3. 1123 W. Main - Parcel
4. 1123 W Main Slide

RESOLUTION NO. 2025-004

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

Legal Description

Lot 2, Pavys Addition to the City of Independence, Montgomery County, Kansas

Common Address

1123 W Main Street

Mortgage

WHEREAS, the Building Inspector of the City of Independence, Kansas, did on the 23rd day of October 2024, file with the Governing body of said City, a statement in writing that the structure, or structures, located on the above described tract/parcel is unsafe and/or dangerous; and

WHEREAS, the Governing body did by **Res. #2024—034**, dated **October 23, 2024**, fix a time and place of hearing at which time the owner, his or her agent, any lien holders of record and any occupant of such structure, or structures, could appear and show cause why such structure, or structures, should not be condemned and ordered repaired and/or demolished and further provided for the giving of notice thereof as provided by law; and

WHEREAS, such resolution was published in the official city newspaper on **October 31, 2024 and November 7, 2024**, a copy of such resolution and notice was mailed to the owner, his or her agent; any lien holders of record and any occupant of the structure, or structures, at his or her last known place of residence, at which hearing the governing body heard all persons and considered all evidence presented by interested parties, including the Building Inspector of the City of Independence, Kansas.

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

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

Legal Description

Lot 2, Pavys Addition to the City of Independence, Montgomery County, Kansas

Common Address

1123 W Main Street

Mortgage

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

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

Adopted this 9th day of January, 2025.

(SEAL)

Mayor

City Clerk



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

December 12, 2024

Bill Hubler & David Freeman
629 W. Hickory
Independence, Ks. 67301

**RE: Notice of Public Hearing to Consider Condemnation of Property Located at:
1123 W. Main St. – Independence, Kansas**

Dear Sir:

The City of Independence has received a report from the Enforcing Officer indicating that the structure(s) located at **1123 W. Main Street** have been found to be unsafe and dangerous in accordance with Kansas Statutes Annotated (K.S.A.) 12-1750 et seq. The conditions observed include **No utilities 2 years, Exterior condition of the structure, roof,**

In accordance with state law, you are hereby notified that the City Governing Body has scheduled a public hearing to consider the condemnation of this structure. At this hearing, you, your agent, any lienholders of record, and any occupants of the property will have the opportunity to present evidence and show cause why the structure should not be condemned and ordered repaired or demolished.

Public Hearing Details:

- Date: **January 9, 2025**
- Time: **5:30 PM**
- Location: **120 N. 6th Street – City Commission Room**

A resolution outlining the time and place of this hearing will be published in the **Independence Reporter**.

Please note that if the Governing Body determines that the structure is indeed unsafe or dangerous, an order of condemnation may be issued directing the repair or removal of the structure. You may request a reasonable timeframe **(submit a timeline of repairs)** within which to commence repair or removal of the structure at the time of the Public Hearing.

Failure to take action and submit a timeline of repair or removal, within 30 days of the commission action **(if condemned)** will result in the City seeking bids for the demolition and clearing the lot at the owner's expense.

If you have any questions regarding this matter or require additional information, please contact **David Cowan, 620.332.2528 voice, or davidc@independenceks.gov email**

Thank you for your attention to this matter.

David Cowan



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

Assistant City Manager
City of Independence
120 N. 6th Street
Independence, Kansas 67301

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The Parcel Number for this Property is 063-087-36-0-20-07-006.00-0
Quick Ref ID: 4275

Owner Information

Owner Name	HUBLER, BILL E NTC; FREEMAN, DAVID MICHAEL & BILLETA JOY HUBLER FREEMAN
Address	629 W HICKORY ST INDEPENDENCE, KS 67301

Property Situs Address

Address	1123 W MAIN ST, Independence, KS 67301
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Land Based Classification System

Function	Single family residence (detached)
Activity	Household activities
Ownership	Private-fee simple
Site	Developed site - with buildings

General Property Information

Prop Class	Residential - R
Living Units	1
Zoning	
Neighborhood	108.F
Tax Unit Group	108

Property Factors

Topography	Level - 1
Utilities	All Public - 1
Access	Paved Road - 1 Alley - 7
Fronting	Residential Street - 4
Location	Neighborhood or Spot - 6
Parking Type	On and Off Street - 3
Parking Quantity	Adequate - 2
Parking Proximity	On Site - 3
Parking Covered	
Parking Uncovered	

2024 Appraised Value

Class	Land	Building	Total
Residential - R	5,170	17,230	22,400
Total	5,170	17,230	22,400

2023 Appraised Value

Class	Land	Building	Total
Residential - R	5,170	16,940	22,110
Total	5,170	16,940	22,110

Tract Description

PAVYS 1ST ADD, S36, T32, R15, Lot 2, Lot Width: 050.0 Lot Depth: 224.8 Plat Book/Page A /3 Deed Book/Page 708 /1145 468 /467 453 /316 391 /364 391 /092 360 /310

Deed Information

Book1	Page1	Book2	Page2	Book3	Page3	Book4	Page4
721	485	708	1145				

Market Land Information

Method	Type	AC/SF	Eff FF	Depth	D-Fact	Inf1	Fact1	Inf2	Fact2	Ovrd	Class	Value Est
Sqft	Primary Site - 1	11200										5,170

Dwelling Information

Dwelling Information		Comp Sales Information	
Res Type	Single-family Residence	Arch Style	Bungalow
Quality	FR+	Bsmt Type	Crawl - 2
Year Built	1885	Total Rooms	5
Eff Year		Bedrooms	2
MS Style	One Story	Family Rooms	
LBCSStruct	Detached SFR unit	Full Baths	2
No. of Units		Half Baths	
Total Living Area		Garage Cap	
Calculated Area	1,050	Foundation	Block - 3
Main Floor Living Area	1,050		
Upper Floor Living Area Pct.			
CDU	PR		
Phys/Func/Econ	PR/ /		
Ovr Pct Gd/RCN	/135,750		
Remodel			
Percent Complete			
Assessment Class			
MU Cls/Pct			

Dwelling Components

Code	Units	Pct	Quality	Year
Frame, Siding, Vinyl		100		
Raised Subfloor (% or SF)		100		
Plumbing Fixtures (#)	8			
Automatic Floor Cover Allowance				
Open Slab Porch (SF)	140		3	1980
Raised Slab Porch (SF) with Roof	168			
Composition Shingle		100		
Warmed & Cooled Air		100		
Plumbing Rough-ins (#)	1			
Raised Slab Porch (SF)	300		2	1980
Single 1-Story Fireplace (#)	1			

Building Improvements

Id	Occupancy	MSCls	Rank	Qty	Yr Bld	Eff Yr	LBCS	Area	Perim	Hgt	Dimensions	Stories	Phys	Func	Econ	OVR%	Rsn	Cls	RCN	%Gd	Value
05	Tool Shed	D	1.00	1	1930			360	76	8	20 X 18	1	0	0					4,870	0	0
06	Residential Garage - Detached	D	2.00	1	1955			720	108	8	30 X 24	1	1	1					26,120	2	520
14	Tool Shed	D	1.00	1	1980			136	50	8	17 X 8	1	0	0					2,400	0	0
15	Tool Shed	D	1.00	1	1955			384	88	8	32 X 12	1	0	0					5,350	0	0

Building Improvement Components

Id	Code	Units	Pct	Size	Other	Rank	Year
05	Single -Wall-Boards on Wood		100				
14	Single -Wall-Boards on Wood		100				
15	Single -Wall-Boards on Wood		100				

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TECHNOLOGIES

Public hearing to consider the condemnation of 1123 W. Main Street as dangerous and unsafe.



SUGGESTED MOTION:

I move to adopt a resolution condemning 1123 W. Main Street as dangerous and unsafe.



REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
January 9, 2025

Department Admin

Director Approval David Cowan

AGENDA ITEM Public Hearing to consider the condemnation of 1113 W. Main Street as dangerous and unsafe.

SUMMARY RECOMMENDATION City Staff recommends condemnation as dangerous and unsafe.

BACKGROUND The owner of 1113 W. Main has met with April Nutt and the Landbank has accepted the donation of the property into the Land Bank. The City Staff is recommending condemnation as dangerous and unsafe and to remove the structure.

FINANCIAL INFORMATION The cost of demolition and clearing the lot.

SUGGESTED MOTION I move to adopt a resolution condemning 1113 W. Main Street as dangerous and unsafe.

SUPPORTING DOCUMENTS

1. RESOLUTION 2025-005 - CONDEMNATION - DAYS - 1113 W Main
2. 1113 W. MAIN PARCEL
3. 1113 W Main Slide

RESOLUTION NO. 2025-005

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

Legal Description

Beginning Northwest corner of Lot 45, East 48.5 feet, South 244.8 feet, West 48.5 feet, North to Point of Beginning, Westside Addition to the City of Independence, Montgomery County, Kansas.

Common Address

1113 W Main Street

Mortgage

WHEREAS, the Building Inspector of the City of Independence, Kansas, did on the 23rd day of October 2024, file with the Governing body of said City, a statement in writing that the structure, or structures, located on the above described tract/parcel is unsafe and/or dangerous; and

WHEREAS, the Governing body did by **Res. #2024—034**, dated **October 23, 2024**, fix a time and place of hearing at which time the owner, his or her agent, any lien holders of record and any occupant of such structure, or structures, could appear and show cause why such structure, or structures, should not be condemned and ordered repaired and/or demolished and further provided for the giving of notice thereof as provided by law; and

WHEREAS, such resolution was published in the official city newspaper on **October 31, 2024 and November 7, 2024**, a copy of such resolution and notice was mailed to the owner, his or her agent; any lien holders of record and any occupant of the structure, or structures, at his or her last known place of residence, at which hearing the governing body heard all persons and considered all evidence presented by interested parties, including the Building Inspector of the City of Independence, Kansas.

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

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

Legal Description

Beginning Northwest corner of Lot 45, East 48.5 feet, South 244.8 feet, West 48.5 feet, North to Point of Beginning, Westside Addition to the City of Independence, Montgomery County, Kansas.

Common Address

1113 W Main Street

Mortgage

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

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

Adopted this 9th day of January, 2025.

(SEAL)

Mayor

City Clerk

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The Parcel Number for this Property is 063-087-36-0-20-07-004.00-0
Quick Ref ID: 4273

Owner Information

Owner Name	HULL, LINDA K & RODNEY G
Address	1113 W MAIN ST INDEPENDENCE, KS 67301

Property Situs Address

Address	1113 W MAIN ST, Independence, KS 67301
----------------	--

Land Based Classification System

Function	Single family residence (detached)
Activity	Household activities
Ownership	Private-fee simple
Site	Developed site - with buildings

General Property Information

Prop Class	Residential - R
Living Units	1
Zoning	
Neighborhood	108.F
Tax Unit Group	108

Property Factors

Topography	Level - 1
Utilities	All Public - 1
Access	Paved Road - 1 Alley - 7
Fronting	Residential Street - 4
Location	Neighborhood or Spot - 6
Parking Type	On and Off Street - 3
Parking Quantity	Adequate - 2
Parking Proximity	On Site - 3
Parking Covered	
Parking Uncovered	

2024 Appraised Value

Class	Land	Building	Total
Residential - R	5,130	15,030	20,160
Total	5,130	15,030	20,160

2023 Appraised Value

Class	Land	Building	Total
Residential - R	5,130	13,890	19,020
Total	5,130	13,890	19,020

Tract Description

WESTSIDE ADD, S36, T32, R15, BEG NW COR LOT 45 E 48.5' S 244.8' W 48.5' N TO POB; Lot Width: 048.5 Lot Depth: 244.8 Plat Book/Page A /3
Lot Width: 048.5 Lot Depth: 244.8 Deed Book/Page 514 /298 264 /593

Building Permit Information

Permit Number	Amount	Issue Date	Description
20160058	1,000	6/17/2016	

Deed Information

Book1	Page1	Book2	Page2	Book3	Page3	Book4	Page4
514	298						

Market Land Information

Method	Type	AC/SF	Eff FF	Depth	D-Fact	Inf1	Fact1	Inf2	Fact2	Ovrd	Class	Value Est
Sqft	Primary Site - 1	10976										5,130

Dwelling Information

Dwelling Information		Comp Sales Information	
Res Type	Single-family Residence	Arch Style	Old Style
Quality	FR+	Bsmt Type	Crawl - 2
Year Built	1895	Total Rooms	6
Eff Year		Bedrooms	3
MS Style	1 1/2 Story Finished	Family Rooms	
LBCS Struct	Detached SFR unit	Full Baths	1
No. of Units		Half Baths	1
Total Living Area		Garage Cap	
Calculated Area	1,400	Foundation	Brick - 5
Main Floor Living Area	1,000		
Upper Floor Living Area Pct.	40		
CDU	FR-		
Phys/Func/Econ	PR/ /		
Ovr Pct Gd/RCN	/138,890		
Remodel			
Percent Complete			
Assessment Class			
MU Cls/Pct			

Dwelling Components

Code	Units	Pct	Quality	Year
Frame, Plywood		100		
Raised Subfloor (% or SF)		100		
Plumbing Fixtures (#)	7			
Automatic Floor Cover Allowance				
Raised Slab Porch (SF) with Roof	161			
Composition Shingle		100		
Wall Furnace		100		
Plumbing Rough-ins (#)	1			
Slab Porch (SF) with Roof	50			1960

Building Improvements

Id	Occupancy	MSCls	Rank	Qty	Yr Blt	Eff Yr	LBCS	Area	Perim	Hgt	Dimensions	Stories	Phys	Func	Econ	OVR%	Rsn	ClS	RCN	%Gd	Value
59	Tool Shed	D	1.00	1	1940			180	56	8	18 X 10	1	2	2					2,890	6	170

Building Improvement Components

Id	Code	Units	Pct	Size	Other	Rank	Year
59	Single -Wall-Boards on Wood		100				

63	Carport, Flat or Shed Roof	360					
----	----------------------------	-----	--	--	--	--	--

Other Improvements

No	Occupancy	MSCIs	Rank	Qty	Yr Blt	Eff Yr	LBCS	Area	Perim	Hgt	Dimensions	Stories	Phys	Func	Econ	OVR%	Rsn	Cls	RCN	%Gd	Value
63	Site Improvements	P	0.50	1	2016			10	76	8	20 X 18	1	0	0			CP		4,160	0	0
67	Prefabricated Storage Shed	D	1.00	1	2017			140	48	8	14 X 10	1	0	0					2,890	0	0

Other Improvement Components

No	Code	Units	Pct	Size	Other	Rank	Year
63	Carport, Flat or Shed Roof	360					

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TECHNOLOGIES

Public hearing to consider the condemnation of 1113 W. Main Street as dangerous and unsafe.



PUBLIC HEARINGS



SUGGESTED MOTION:

I move to adopt a resolution condemning 1113 W. Main Street as dangerous and unsafe.



REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
January 9, 2025

Department Admin

Director Approval David Cowan

AGENDA ITEM Public Hearing to consider the condemnation of 601 S. Wald Avenue as dangerous and unsafe.

SUMMARY RECOMMENDATION City staff recommends condemnation as dangerous and unsafe.

BACKGROUND The structure at 601 S. Wald Street have been found to be unsafe and dangerous in accordance with Kansas Statutes Annotated (K.S.A.) 12-1750 et seq. The conditions observed include No utilities 7 years, Exterior condition of the structure, holes in the roof, debris, trash, windows and doors. City staff has had no contact with the owner of the structure.

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

SUGGESTED MOTION I move to adopt a resolution condemning 601 S. Wald Avenue as dangerous and unsafe.

SUPPORTING DOCUMENTS

1. RESOLUTION 2025-006 - CONDEMNATION - DAYS - 601 S Wald
2. 601 S. Wald - Notice of Public Hearing 121224
3. 601 S Wald Slide

RESOLUTION NO. 2025-006

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

Legal Description

Lot 30, Aganippe Park Addition to the City of Independence, Montgomery County, Kansas.

Common Address

601 S Wald Avenue

Mortgage

WHEREAS, the Building Inspector of the City of Independence, Kansas, did on the 23rd day of October 2024, file with the Governing body of said City, a statement in writing that the structure, or structures, located on the above described tract/parcel is unsafe and/or dangerous; and

WHEREAS, the Governing body did by **Res. #2024—034**, dated **October 23, 2024**, fix a time and place of hearing at which time the owner, his or her agent, any lien holders of record and any occupant of such structure, or structures, could appear and show cause why such structure, or structures, should not be condemned and ordered repaired and/or demolished and further provided for the giving of notice thereof as provided by law; and

WHEREAS, such resolution was published in the official city newspaper on **October 31, 2024 and November 7, 2024**, a copy of such resolution and notice was mailed to the owner, his or her agent; any lien holders of record and any occupant of the structure, or structures, at his or her last known place of residence, at which hearing the governing body heard all persons and considered all evidence presented by interested parties, including the Building Inspector of the City of Independence, Kansas.

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

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

Legal Description

Lot 30, Aganippe Park Addition to the City of Independence, Montgomery County, Kansas.

Common Address

601 S Wald Avenue

Mortgage

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

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

Adopted this 9th day of January, 2025.

(SEAL)

Mayor

City Clerk



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

December 12, 2024

James McLeod
516 S. Wald
Independence, Ks. 67301

**RE: Notice of Public Hearing to Consider Condemnation of Property Located at:
601 S, Wald St. – Independence, Kansas**

Dear Sir:

The City of Independence has received a report from the Enforcing Officer indicating that the structure(s) located at **601 S. Wald Street** have been found to be unsafe and dangerous in accordance with Kansas Statutes Annotated (K.S.A.) 12-1750 et seq. The conditions observed include **No utilities 7 years, Exterior condition of the structure, roof, debris, trash**

In accordance with state law, you are hereby notified that the City Governing Body has scheduled a public hearing to consider the condemnation of this structure. At this hearing, you, your agent, any lienholders of record, and any occupants of the property will have the opportunity to present evidence and show cause why the structure should not be condemned and ordered repaired or demolished.

Public Hearing Details:

- Date: **January 9, 2025**
- Time: **5:30 PM**
- Location: **120 N. 6th Street – City Commission Room**

A resolution outlining the time and place of this hearing will be published in the **Independence Reporter**.

Please note that if the Governing Body determines that the structure is indeed unsafe or dangerous, an order of condemnation may be issued directing the repair or removal of the structure. You may request a reasonable timeframe **(submit a timeline of repairs)** within which to commence repair or removal of the structure at the time of the Public Hearing.

Failure to take action and submit a timeline of repair or removal, within 30 days of the commission action **(if condemned)** will result in the City seeking bids for the demolition and clearing the lot at the owner's expense.

If you have any questions regarding this matter or require additional information, please contact **David Cowan, 620.332.2528 voice, or davidc@independenceks.gov email**

Thank you for your attention to this matter.

David Cowan



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

Assistant City Manager
City of Independence
120 N. 6th Street
Independence, Kansas 67301

Public hearing to consider the condemnation of 601 S. Wald Street as dangerous and unsafe.



SUGGESTED MOTION:

I move to adopt a resolution condemning 601 S. Wald Street as dangerous and unsafe.



**REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
January 9, 2025**

Department Admin

Director Approval David Cowan

AGENDA ITEM Public Hearing to consider the condemnation of 820 W. Cottonwood Street as dangerous and unsafe

SUMMARY RECOMMENDATION City Staff recommends condemnation as dangerous and unsafe.

BACKGROUND The City of Independence has received a report from the Enforcing Officer indicating that the structure(s) located at 820 W. Cottonwood Street have been found to be unsafe and dangerous in accordance with Kansas Statutes Annotated (K.S.A.) 12-1750 et seq. The conditions observed include no utilities for 16 years, Exterior condition of the structure, roof, porch and debris. The City staff has had no contact with the owner and recommends condemnation as dangerous and unsafe.

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

SUGGESTED MOTION I move to adopt a resolution condemning 820 W. Cottonwood Street as dangerous and unsafe.

SUPPORTING DOCUMENTS

1. RESOLUTION 2025-007 - CONDEMNATION - DAYS - 820 W Cottonwood
2. 820 W. Cottonwood - Notice of Public Hearing 121224
3. 820 W. COTTONWOOD PARCEL
4. 820 W Cottonwood Slide

RESOLUTION NO. 2025-007

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

Legal Description

Lot 11, Block F, Deans Addition to the City of Independence, Montgomery County, Kansas.

Common Address

820 W Cottonwood Street

Mortgage

WHEREAS, the Building Inspector of the City of Independence, Kansas, did on the 23rd day of October 2024, file with the Governing body of said City, a statement in writing that the structure, or structures, located on the above described tract/parcel is unsafe and/or dangerous; and

WHEREAS, the Governing body did by **Res. #2024—034**, dated **October 23, 2024**, fix a time and place of hearing at which time the owner, his or her agent, any lien holders of record and any occupant of such structure, or structures, could appear and show cause why such structure, or structures, should not be condemned and ordered repaired and/or demolished and further provided for the giving of notice thereof as provided by law; and

WHEREAS, such resolution was published in the official city newspaper on **October 31, 2024 and November 7, 2024**, a copy of such resolution and notice was mailed to the owner, his or her agent; any lien holders of record and any occupant of the structure, or structures, at his or her last known place of residence, at which hearing the governing body heard all persons and considered all evidence presented by interested parties, including the Building Inspector of the City of Independence, Kansas.

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

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

Legal Description

Lot 11, Block F, Deans Addition to the City of Independence, Montgomery County, Kansas.

Common Address

820 W Cottonwood Street

Mortgage

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

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

Adopted this 9th day of January, 2025.

(SEAL)

Mayor

City Clerk



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

December 12, 2024

Samantha & Justine Justice
801 E. 7 th Apt C
Cherryvale, Ks. 67335

**RE: Notice of Public Hearing to Consider Condemnation of Property Located at:
820 W. Cottonwood St. – Independence, Kansas**

Dear **Sir**:

The City of Independence has received a report from the Enforcing Officer indicating that the structure(s) located at **820 W. Cottonwood Street** have been found to be unsafe and dangerous in accordance with Kansas Statutes Annotated (K.S.A.) 12-1750 et seq. The conditions observed include **No utilities 16 years, Exterior condition of the structure, roof,**

In accordance with state law, you are hereby notified that the City Governing Body has scheduled a public hearing to consider the condemnation of this structure. At this hearing, you, your agent, any lienholders of record, and any occupants of the property will have the opportunity to present evidence and show cause why the structure should not be condemned and ordered repaired or demolished.

Public Hearing Details:

- Date: **January 9, 2025**
- Time: **5:30 PM**
- Location: **120 N. 6th Street – City Commission Room**

A resolution outlining the time and place of this hearing will be published in the **Independence Reporter**.

Please note that if the Governing Body determines that the structure is indeed unsafe or dangerous, an order of condemnation may be issued directing the repair or removal of the structure. You may request a reasonable timeframe **(submit a timeline of repairs)** within which to commence repair or removal of the structure at the time of the Public Hearing.

Failure to take action and submit a timeline of repair or removal, within 30 days of the commission action **(if condemned)** will result in the City seeking bids for the demolition and clearing the lot at the owner's expense.

If you have any questions regarding this matter or require additional information, please contact **David Cowan, 620.332.2528 voice, or davidc@independenceks.gov email**

Thank you for your attention to this matter.

David Cowan



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

Assistant City Manager
City of Independence
120 N. 6th Street
Independence, Kansas 67301

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The Parcel Number for this Property is 063-087-25-0-40-10-010.00-0
Quick Ref ID: 3194

Owner Information

Owner Name	JUSTICE, SAMANTHA & JUSTIN
Address	801 E 7TH #APT C CHERRYVALE, KS 67335

Property Situs Address

Address	820 W COTTONWOOD ST, Independence, KS 67301
----------------	---

Land Based Classification System

Function	Single family residence (detached)
Activity	Household activities
Ownership	Private-fee simple
Site	Developed site - with buildings

General Property Information

Prop Class	Residential - R
Living Units	1
Zoning	
Neighborhood	108.F
Tax Unit Group	108

Property Factors

Topography	Level - 1
Utilities	All Public - 1
Access	Paved Road - 1 Alley - 7
Fronting	Residential Street - 4
Location	Neighborhood or Spot - 6
Parking Type	On and Off Street - 3
Parking Quantity	Adequate - 2
Parking Proximity	On Site - 3
Parking Covered	
Parking Uncovered	

2024 Appraised Value

Class	Land	Building	Total
Residential - R	4,550	1,950	6,500
Total	4,550	1,950	6,500

2023 Appraised Value

Class	Land	Building	Total
Residential - R	4,550	1,770	6,320
Total	4,550	1,770	6,320

Tract Description

DEANS ADD, S25, T32, R15, BLOCK F, Lot 11, 7946 SQUARE FEET, Lot Width 50' Lot Depth 160' Plat Book/Page 4 /13 Deed Book/Page 723 /1213
677 /459 676 /752 488 /297 460 /016 460 /013 437 /372 414 /162 346 /396

Deed Information

Book1	Page1	Book2	Page2	Book3	Page3	Book4	Page4
723	1213	677	459	676	752		

Market Land Information

Method	Type	AC/SF	Eff FF	Depth	D-Fact	Inf1	Fact1	Inf2	Fact2	Ovrd	Class	Value Est
Sqft	Primary Site - 1	7946										4,550

Dwelling Information

Dwelling Information		Comp Sales Information	
Res Type	Single-family Residence	Arch Style	Bungalow
Quality	FR	Bsmt Type	Crawl - 2
Year Built	1905	Total Rooms	5
Eff Year		Bedrooms	2
MS Style	One Story	Family Rooms	
LBCSStruct	Detached SFR unit	Full Baths	1
No. of Units		Half Baths	
Total Living Area		Garage Cap	
Calculated Area	786	Foundation	Stone - 4
Main Floor Living Area	786		
Upper Floor Living Area Pct.			
CDU	VP-		
Phys/Func/Econ	VP-/ /		
Ovr Pct Gd/RCN	/97,630		
Remodel			
Percent Complete			
Assessment Class			
MU Cls/Pct			

Dwelling Components

Code	Units	Pct	Quality	Year
Wall Furnace		100		
Carport, Flat Roof (SF)	264		1	
Composition Shingle		100		
Plumbing Fixtures (#)	5			
Automatic Floor Cover Allowance				
Wood Deck (SF) with Roof	120		1	
Enclosed Wood Deck (SF), Solid Wall	60			
Frame, Siding, Wood		100		
Raised Subfloor (% or SF)		100		
Plumbing Rough-ins (#)	1			

Building Improvements

Id	Occupancy	MSCls	Rank	Qty	Yr Blt	Eff Yr	LBCS	Area	Perim	Hgt	Dimensions	Stories	Phys	Func	Econ	OVR%	Rsn	Cls	RCN	%Gd	Value
64	Prefabricated Storage Shed	D	1.00	1	2017			180		8	12 X 15	1	0	0					3,640	0	0

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Public hearing to consider the condemnation of 820 W. Cottonwood Street as dangerous and unsafe.



SUGGESTED MOTION:

I move to adopt a resolution condemning 820 W. Cottonwood Street as dangerous and unsafe.



**REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
January 9, 2025**

Department Admin

Director Approval David Cowan

AGENDA ITEM Public Hearing to consider the condemnation of 512 S. 16th Street as dangerous and unsafe.

SUMMARY RECOMMENDATION City Staff recommends condemnation as dangerous and unsafe.

BACKGROUND The City of Independence has received a report from the Enforcing Officer indicating that the structure(s) located at 512 S. 16th Street have been found to be unsafe and dangerous in accordance with Kansas Statutes Annotated (K.S.A.) 12-1750 et seq. The conditions observed include No utilities for 12 years, Exterior condition of the structure, holes in the roof, rotted foundation and structural issues. City Staff has been in contact with the owner of the structure but has not been notified of what his intentions with the structure are. City staff recommends condemnation as dangerous and unsafe.

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

SUGGESTED MOTION I move to adopt a resolution condemning 512 S. 16th Street as dangerous and unsafe.

SUPPORTING DOCUMENTS

1. RESOLUTION 2025-008 - CONDEMNATION - DAYS - 512 S 16th
2. 512 S. 16th St. - Notice of Public Hearing 121224
3. OE_Report
4. 512 S. 16TH PARCEL
5. 512 S 16th Slide

RESOLUTION NO. 2025-008

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

Legal Description

Lots 5, 6 and 7, Lydia C. Nighs Subdivision to the City of Independence, Montgomery County, Kansas.

Common Address

512 S 16th Street

Mortgage

WHEREAS, the Building Inspector of the City of Independence, Kansas, did on the 23rd day of October 2024, file with the Governing body of said City, a statement in writing that the structure, or structures, located on the above described tract/parcel is unsafe and/or dangerous; and

WHEREAS, the Governing body did by **Res. #2024—034**, dated **October 23, 2024**, fix a time and place of hearing at which time the owner, his or her agent, any lien holders of record and any occupant of such structure, or structures, could appear and show cause why such structure, or structures, should not be condemned and ordered repaired and/or demolished and further provided for the giving of notice thereof as provided by law; and

WHEREAS, such resolution was published in the official city newspaper on **October 31, 2024 and November 7, 2024**, a copy of such resolution and notice was mailed to the owner, his or her agent; any lien holders of record and any occupant of the structure, or structures, at his or her last known place of residence, at which hearing the governing body heard all persons and considered all evidence presented by interested parties, including the Building Inspector of the City of Independence, Kansas.

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

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

Legal Description

Lots 5, 6 and 7, Lydia C. Nighs Subdivision to the City of Independence, Montgomery County, Kansas.

Common Address

512 S 16th Street

Mortgage

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

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

Adopted this 9th day of January, 2025.

(SEAL)

Mayor

City Clerk



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

December 12, 2024

Robert Koehn
516 N. 13th
Independence, Ks. 67301

**RE: Notice of Public Hearing to Consider Condemnation of Property Located at:
512 S. 16th St. – Independence, Kansas**

Dear **Sir**:

The City of Independence has received a report from the Enforcing Officer indicating that the structure(s) located at **512 S. 16th Street** have been found to be unsafe and dangerous in accordance with Kansas Statutes Annotated (K.S.A.) 12-1750 et seq. The conditions observed include **No utilities 12 years, Exterior condition of the structure, roof,**

In accordance with state law, you are hereby notified that the City Governing Body has scheduled a public hearing to consider the condemnation of this structure. At this hearing, you, your agent, any lienholders of record, and any occupants of the property will have the opportunity to present evidence and show cause why the structure should not be condemned and ordered repaired or demolished.

Public Hearing Details:

- Date: **January 9, 2025**
- Time: **5:30 PM**
- Location: **120 N. 6th Street – City Commission Room**

A resolution outlining the time and place of this hearing will be published in the **Independence Reporter**.

Please note that if the Governing Body determines that the structure is indeed unsafe or dangerous, an order of condemnation may be issued directing the repair or removal of the structure. You may request a reasonable timeframe **(submit a timeline of repairs)** within which to commence repair or removal of the structure at the time of the Public Hearing.

Failure to take action and submit a timeline of repair or removal, within 30 days of the commission action **(if condemned)** will result in the City seeking bids for the demolition and clearing the lot at the owner's expense.

If you have any questions regarding this matter or require additional information, please contact **David Cowan, 620.332.2528 voice, or davidc@independenceks.gov email**

Thank you for your attention to this matter.

David Cowan



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

Assistant City Manager
City of Independence
120 N. 6th Street
Independence, Kansas 67301

Report Cover Page

Date:	11/01/2024	Prepared For:	City of Independence
Order No.:	3099784	Owner(s):	Robert Koehn
Issuing Office:	Security 1st Title 114 N. Pennsylvania Avenue Independence, KS 67301	Property Address:	512 S 16TH ST, Independence, KS 67301

Note: The documents linked in this report should be reviewed carefully. These documents, such as covenants conditions and restrictions, may affect the title, ownership and use of the property. You may wish to engage legal assistance in order to fully understand and be aware of the implications of the effect of these documents on your property.

Tax Information:

[087-36-0-40-06-002.00-0](#)

Date: November 01, 2024
Property Address: 512 S 16TH ST, Independence, KS
67301

File No.: 3099784
Title Contact: Mary Jo Wallis
Contact E-mail: mwallis@security1st.com

OWNERS AND ENCUMBRANCES REPORT

For the exclusive use of:

City of Independence
David Cowan
120 N. 6th Street
Independence, KS 67301

Effective Date of this Report: October 06, 2024 at 7:00 A.M.

On Real Estate described as:

Lots 5, 6 and 7, Lydia C. Nighs Subdivision to the City of Independence, Montgomery County, Kansas

The Public Records located in Montgomery County indicate that:

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

Robert Koehn

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

1. The County Tax Records indicate that the general real estate taxes are:

General taxes and special assessments for the year 2023:

Full Amount: \$66.86, ABATED
Tax Parcel Number: IC 2616

2. Note: Title to the Land was derived through a tax sale held on February 09, 2024, under a tax foreclosure proceeding in Case No. MGC-2023-CV-21. The Sheriff's Deed was recorded on April 25, 2024, as Book 735, page 684.

If asked to issue a title policy, we would make the following requirements:

1. Due to the lack of personal service to the prior owners, we require a deed(s) from Juan Jaurez Banda, stating marital status and joined by spouse, if any, to the current applicant owner(s); or
2. Proof, satisfactory to the Company, that personal service of summons was made upon any owner or lienholder in said tax foreclosure proceeding; or
3. Completion of a Quiet Title action, which evidences personal service of summons to any owner or lien holder of the subject property.

In view of the fact that some defendants will necessarily be/have been notified of the pendency of the above suit by publication, the title will be unmarketable as to those parts of the premises in question as to which the quiet title is/was necessary for a period of 2 years or 3 months for sale for value under KSA 60-309, after the decree, which is to be recorded, is/was entered.

Any policy issued prior to the expiration of said period will contain the following exceptions:

"Unmarketability of title until the allotted time to appeal the quiet title decree has expired."

"Right of any party interested, by appeal or by any other direct proceeding, to have set aside, modified, vacated, annulled, reversed or declared of no force and effect within the time allowed by law, the Order entered in the quiet title action filed under Case No. _____, filed on _____."

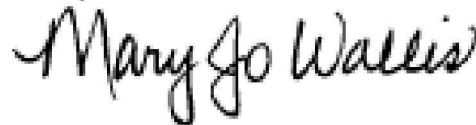
We reserve the right to make additional requirements as we may deem necessary.

This Report is limited to only the information described above.

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

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

Security 1st Title



Licensed Abstracter

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The Parcel Number for this Property is 063-087-36-0-40-06-002.00-0
Quick Ref ID: 4600

Owner Information

Owner Name	KOEHN, ROBERT
Address	516 N 13TH INDEPENDENCE, KS 67301

Property Situs Address

Address	512 S 16TH ST, Independence, KS 67301
----------------	---------------------------------------

Land Based Classification System

Function	Single family residence (detached)
Activity	Household activities
Ownership	Private-fee simple
Site	Developed site - with buildings

General Property Information

Prop Class	Residential - R
Living Units	1
Zoning	
Neighborhood	108.F
Tax Unit Group	108

Property Factors

Topography	Level - 1
Utilities	All Public - 1
Access	Paved Road - 1 Alley - 7
Fronting	Residential Street - 4
Location	Neighborhood or Spot - 6
Parking Type	On and Off Street - 3
Parking Quantity	Adequate - 2
Parking Proximity	On Site - 3
Parking Covered	
Parking Uncovered	

2024 Appraised Value

Class	Land	Building	Total
Residential - R	2,780	2,030	4,810
Total	2,780	2,030	4,810

2023 Appraised Value

Class	Land	Building	Total
Residential - R	2,480	920	3,400
Total	2,480	920	3,400

Tract Description

NIGHS SUB LYDIA C, S36, T32, R15, Lot 5 - 7, 20454 SQUARE FEET, Lot Width: 146.1 Lot Depth: 140.0 Plat Book /Page 4 /7 Deed Book /Page 688 /848 655 /771 575 /625 571 /861 508 /120 480 /085 357 /488

Deed Information

Book1	Page1	Book2	Page2	Book3	Page3	Book4	Page4
735	684	688	848	655	771	575	625

Market Land Information

Method	Type	AC/SF	Eff FF	Depth	D-Fact	Inf1	Fact1	Inf2	Fact2	Ovrd	Class	Value Est
Sqft	vacant- 2	20454										2,780

Dwelling Information

Dwelling Information		Comp Sales Information	
Res Type	Single-family Residence	Arch Style	Bungalow
Quality	FR	Bsmt Type	Crawl - 2
Year Built	1905	Total Rooms	4
Eff Year		Bedrooms	2
MS Style	One Story	Family Rooms	
LBCSStruct	Detached SFR unit	Full Baths	1
No. of Units		Half Baths	
Total Living Area		Garage Cap	
Calculated Area	832	Foundation	Brick - 5
Main Floor Living Area	832		
Upper Floor Living Area Pct.			
CDU	VP-		
Phys/Func/Econ	VP- / /		
Ovr Pct Gd/RCN	/101,570		
Remodel			
Percent Complete			
Assessment Class			
MU Cls/Pct			

Dwelling Components

Code	Units	Pct	Quality	Year
Enclosed Wood Deck (SF), Solid Wall	120			
Composition Shingle		100		
Plumbing Fixtures (#)	5			
Automatic Floor Cover Allowance				
Enclosed Wood Deck (SF), Solid Wall	77			
Frame, Siding, Vinyl		100		
Raised Subfloor (% or SF)		100		

Plumbing Rough-ins (#)	1		
Wall Furnace		100	

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Parcel Search powered by  **Aumentum**TM
TECHNOLOGIES

Public hearing to consider the condemnation of 512 S. 16th Street as dangerous and unsafe.



SUGGESTED MOTION:

I move to adopt a resolution condemning 512 S. 16th Street as dangerous and unsafe.



**REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
January 9, 2025**

Department Admin

Director Approval Kelly Passauer

AGENDA ITEM Consider proclaiming January 19, 2025 as Dr. Martin Luther King, Jr. Commemoration Day, and consider funding the recording and live-streaming of the program.

SUMMARY RECOMMENDATION Approve the proclamation.

BACKGROUND Kathy Shepard, representing the Diversity Taskforce, is requesting that the City authorize a proclamation in honor of Dr. Martin Luther King, Jr. Commemoration Day and urge that every citizen of Independence join in extending recognition and honor to the memory of this great leader of humankind by attending the local celebration “Mission Possible: Protecting Freedom, Justice, and Democracy in the Spirit of Nonviolence365” on Sunday, January 19, 2025 at 3 PM at the Independence High School Performing Arts Center. A free soup luncheon will be held at 2:00 pm in the community room before the event.

Please note there are three versions of the proclamation since the election of the Mayor will not take place until just before this agenda item.

In addition, Kathy asked if the City would fund the recording and live-streaming of the program on the City's Facebook page by Larry McHugh, as approved in past years.

FINANCIAL INFORMATION The cost would be \$250 for the videographer to record and live-stream the program on the City's Facebook page.

SUGGESTED MOTION I move to proclaim January 19, 2025, as Dr. Martin Luther King, Jr. Commemoration Day and authorize funding the recording and live-streaming of this community event.

SUPPORTING DOCUMENTS

1. PROCLAMATION 2025 Tim Emert
2. PROCLAMATION 2025 Dean A Hayse
3. PROCLAMATION 2025 Scott Smith

PROCLAMATION 2025

HONORING DR. MARTIN LUTHER KING, JR.

WHEREAS: The 15th day of January is the birthday anniversary of the late Dr. Martin Luther King, Jr., and

WHEREAS: Dr. King stood before the entire world as a man of peace, champion of human dignity, and an example of love and brotherhood, and

WHEREAS: The citizens of Independence do recognize Dr. King's contribution to the good of all humankind and they do desire to perpetuate and implement the ideals expressed in his dream of peace and harmony among all God's children,

NOW THEREFORE, I Timothy R. Emert, Mayor of the City of Independence, do hereby proclaim the day of January 19th, 2025, Dr. Martin Luther King, Jr. Commemoration Day, and urge that every citizen of Independence join me in extending recognition and honor to the memory of this great leader of humankind by attending the local celebration "*Mission Possible: Protecting Freedom, Justice, and Democracy in the Spirit of Nonviolence*³⁶⁵" on Sunday, January 19th, 2025 at 3 PM at the Independence High School Performing Arts Center.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Independence, Kansas, to be affixed this day, January 9th, 2025.

Timothy R. Emert
Mayor, City of Independence Kansas

PROCLAMATION 2025

HONORING DR. MARTIN LUTHER KING, JR.

WHEREAS: The 15th day of January is the birthday anniversary of the late Dr. Martin Luther King, Jr., and

WHEREAS: Dr. King stood before the entire world as a man of peace, champion of human dignity, and an example of love and brotherhood, and

WHEREAS: The citizens of Independence do recognize Dr. King's contribution to the good of all humankind and they do desire to perpetuate and implement the ideals expressed in his dream of peace and harmony among all God's children,

NOW THEREFORE, I Dean Hayse, Mayor of the City of Independence, do hereby proclaim the day of January 19th, 2025, Dr. Martin Luther King, Jr. Commemoration Day, and urge that every citizen of Independence join me in extending recognition and honor to the memory of this great leader of humankind by attending the local celebration "*Mission Possible: Protecting Freedom, Justice, and Democracy in the Spirit of Nonviolence*" on Sunday, January 19th, 2025 at 3 PM at the Independence High School Performing Arts Center.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Independence, Kansas, to be affixed this day, January 9th, 2025.

Dean Hayse
Mayor, City of Independence Kansas

PROCLAMATION 2025

HONORING DR. MARTIN LUTHER KING, JR.

WHEREAS: The 15th day of January is the birthday anniversary of the late Dr. Martin Luther King, Jr., and

WHEREAS: Dr. King stood before the entire world as a man of peace, champion of human dignity, and an example of love and brotherhood, and

WHEREAS: The citizens of Independence do recognize Dr. King's contribution to the good of all humankind and they do desire to perpetuate and implement the ideals expressed in his dream of peace and harmony among all God's children,

NOW THEREFORE, I Scott Smith, Mayor of the City of Independence, do hereby proclaim the day of January 19th, 2025, Dr. Martin Luther King, Jr. Commemoration Day, and urge that every citizen of Independence join me in extending recognition and honor to the memory of this great leader of humankind by attending the local celebration "*Mission Possible: Protecting Freedom, Justice, and Democracy in the Spirit of Nonviolence*³⁶⁵" on Sunday, January 19th, 2025 at 3 PM at the Independence High School Performing Arts Center.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Independence, Kansas, to be affixed this day, January 9th, 2025.

Scott Smith
Mayor, City of Independence Kansas



REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
January 9, 2025

Department Finance

Director Approval Lacey Lies

AGENDA ITEM Consider Authorizing a Sale Resolution for the Issuance of 2025 Taxable General Obligation Bonds.

SUMMARY RECOMMENDATION Approve Resolution Number 2025-002, authorizing the sale of Taxable General Obligation Bonds.

BACKGROUND This resolution is to authorize the offering for sale of the temporary notes.

This Sale Resolution authorizes the City to pursue a sale of Taxable General Obligation Bonds for the construction and related costs of a waterline extension project for an approximately 9-mile waterline to Rural Water District No. 6 to serve the Bartlett facility.

Although these are Taxable General Obligation Temporary Bonds of the City, in accordance with the Development Agreement entered into between the City and Bartlett, Bartlett will reimburse the City for all costs related to the project, including the cost of financing, over a 5-year period, beginning June 1, 2025.

FINANCIAL INFORMATION This resolution authorizes the sale of Taxable General Obligation Bonds for the Waterline Project in the amount of \$10,000,000.

SUGGESTED MOTION I move to adopt Resolution No. 2025-002, authorizing the sale of Taxable General Obligation or Bonds, and authorize the City Manager to award sale of temporary notes pursuant to stated economic parameters.

SUPPORTING DOCUMENTS

1. Independence 2025 Taxable GOB Timetable
2. SALEDOCS
3. DISTLIST

CITY OF INDEPENDENCE, KANSAS

Taxable General Obligation Bonds

Series 2025

DRAFT CALENDAR OF EVENTS

DATE	EVENT
January 9, 2025	City Commission Meeting Discuss Financial Analysis with Commission City Commission adopts Authorizing Sale Resolution for the issuance of General Obligation Bonds
January 24, 2025	Distribute first draft of Preliminary Official Statement Distribute Packet to Rating Agency
January 30, 2025	Distribute Notice of Sale to Kansas Register and Local Newspaper
February 3, 2025	Conference Call with Rating Agency
February 6, 2025	Publish Notice of Sale in the Kansas Register and Local Newspaper
February 10, 2025	Receive Rating
February 12, 2025	Print and Distribute the Preliminary Official Statement
February 17, 2025	Distribute first draft of Bond Resolution and Legal Documents
February 25, 2025	Sale (10 a.m.) Prepare Final Debt Service Schedule Chairman Signs Bid Form
February 27, 2025	City Commission Meeting (5:30 p.m.) Present results to the City Commission City Commission adopts Bond Resolution
February 28 – March 26, 2025	Print the Final Official Statement Prepare Closing Memorandum, Apply for DTC Eligibility, and Submit Transcript to Attorney General.
March 27, 2025	Closing of Bond Issue
April 1, 2025	Redemption of Series 2023-1 GOTN
Thereafter	Attend to any post-closing matters.

**EXCERPT OF MINUTES OF A MEETING
OF THE CITY COMMISSION OF
THE CITY OF INDEPENDENCE, KANSAS
HELD ON JANUARY 9, 2025**

The City Commission (the “Governing Body”) met in regular session at the usual meeting place in the City at 5:30 P.M., the following members being present and participating, to-wit:

Absent:

The Mayor declared that a quorum was present and called the meeting to order.

* * * * *

(Other Proceedings)

The matter of providing for the offering for sale of general obligation bonds of the City came on for consideration and was discussed.

Commissioner _____ presented and moved the adoption of a Resolution entitled:

**RESOLUTION AUTHORIZING THE OFFERING FOR SALE OF TAXABLE
GENERAL OBLIGATION BONDS, SERIES 2025-A, OF THE CITY OF
INDEPENDENCE, KANSAS.**

Commissioner _____ seconded the motion to adopt the Resolution. The Resolution was duly read and considered, and upon being put, the motion for the adoption of the Resolution was carried by the following vote of the Governing Body:

Aye: _____.

Nay: _____.

The Mayor declared the Resolution duly adopted by the Governing Body and the Clerk designated the same Resolution No. 2025-__.

* * * * *

(Other Proceedings)

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CERTIFICATE

I hereby certify that the foregoing Excerpt of Minutes is a true and correct excerpt of the proceedings of the Governing Body of the City of Independence, Kansas, held on the date stated therein, and that the official minutes of such proceedings are on file in my office.

(SEAL)

Clerk

RESOLUTION NO. 2025-__

**RESOLUTION AUTHORIZING THE OFFERING FOR SALE OF TAXABLE
GENERAL OBLIGATION BONDS, SERIES 2025-A, OF THE CITY OF
INDEPENDENCE, KANSAS.**

WHEREAS, the City of Independence, Kansas (the “Issuer”), has previously authorized certain improvements described as follows (the “Improvements”):

<u>Project Description</u>	<u>Res. No.</u>	<u>Authority (K.S.A.)</u>	<u>Amount</u>
Public Water Supply System Improvements – Water Line	2023-13	65-163d <i>et seq.</i>	\$10,000,000

WHEREAS, the Issuer desires to issue its general obligation bonds in order to permanently finance the costs of such Improvements and to retire the following temporary notes of the Issuer, which were issued to temporarily finance a portion of the costs of the Improvements (the “Refunded Notes”):

<u>Series</u>	<u>Dated Date</u>	<u>Maturity Date</u>	<u>Original Amount</u>	<u>Redemption Amount</u>
2023-1	07/26/2023	04/01/2025	\$10,000,000	\$10,000,000

WHEREAS, the City Commission of the Issuer (the “Governing Body”) has selected the firm of Piper Sandler & Co., Leawood, Kansas (the “Municipal Advisor”), as municipal advisor for one or more series of general obligation bonds of the Issuer to be issued in order to provide funds to permanently finance the Improvements and to retire the Refunded Notes; and

WHEREAS, the Issuer desires to authorize the Municipal Advisor to proceed with the offering for sale of said general obligation bonds and related activities, and one of the duties and responsibilities of the Issuer is to prepare and distribute a preliminary official statement relating to said general obligation bonds; and

WHEREAS, the Issuer desires to authorize the Municipal Advisor and Gilmore & Bell, P.C., Wichita, Kansas, the Issuer’s bond counsel (“Bond Counsel”), in conjunction with the City Manager, Finance Director, and Clerk to proceed with the preparation and distribution of a preliminary official statement and notice of bond sale and to authorize the distribution thereof and all other preliminary action necessary to sell said general obligation bonds.

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF INDEPENDENCE, KANSAS, AS FOLLOWS:

Section 1. There is hereby authorized to be offered for sale the Issuer’s Taxable General Obligation Bonds, Series 2025-A (the “Bonds”) described in the Notice of Bond Sale, which is hereby approved in substantially the form presented to the Governing Body this date (the “Notice of Bond Sale”). All proposals for the purchase of the Bonds shall be submitted upon the terms and conditions set forth in the Notice of Bond Sale, and shall be reviewed by the Mayor, City Manager, Director of Finance, the Municipal Advisor and Bond Counsel as soon after the submittal hour as possible.

The City Manager (or their designee) is hereby authorized to award the sale of the Bonds to the submitter of the best proposal as determined pursuant to the provisions of the Notice of Bond Sale or to reject all proposals; provided, however, that the principal amount of the Bonds shall not exceed \$10,750,000 and the true interest cost of the Bonds shall not exceed 7.00%. All proposals for the purchase of the Bonds shall be delivered to the Governing Body at its meeting to be held on the date referenced in the Notice of Bond Sale, at which meeting the Governing Body shall review such proposals and ratify the award of the sale of the Bonds or the rejection of all proposals.

Section 2. The Clerk and Finance Director in conjunction with the Municipal Advisor and Bond Counsel are hereby authorized to cause to be prepared a Preliminary Official Statement relating to the Bonds (the "Preliminary Official Statement"), and such officials and other representatives of the Issuer are hereby authorized to use such document in connection with the sale of the Bonds.

Section 3. The Clerk, in conjunction with the Municipal Advisor and Bond Counsel, is hereby authorized and directed to give notice of said bond sale by publishing a summary of the Notice of Bond Sale not less than 6 days before the date of the bond sale in a newspaper of general circulation in Montgomery County, Kansas, and the *Kansas Register* and by distributing copies of the Notice of Bond Sale and Preliminary Official Statement to prospective purchasers of the Bonds. Proposals for the purchase of the Bonds shall be submitted upon the terms and conditions set forth in the Notice of Bond Sale, and awarded or rejected in the manner set forth in the Notice of Bond Sale.

Section 4. For the purpose of enabling the purchaser of the Bonds (the "Purchaser") to comply with the requirements of Rule 15c2-12 of the Securities and Exchange Commission (the "Rule"), the Mayor and Finance Director are hereby authorized: (a) to approve the form of the Preliminary Official Statement and to execute the "Certificate Deeming Preliminary Official Statement Final" in substantially the form attached hereto as *Exhibit A* as approval of the Preliminary Official Statement, such official's signature thereon being conclusive evidence of such official's and the Issuer's approval thereof; (b) covenant to provide continuous secondary market disclosure by annually transmitting certain financial information and operating data and other information necessary to comply with the Rule to the Municipal Securities Rulemaking Board; and (c) take such other actions or execute such other documents as such officers in their reasonable judgment deem necessary to enable the Purchaser to comply with the requirement of the Rule.

Section 5. The Issuer agrees to provide to the Purchaser within seven business days of the date of the sale of Bonds or within sufficient time to accompany any confirmation that requests payment from any customer of the Purchaser, whichever is earlier, sufficient copies of the final Official Statement to enable the Purchaser to comply with the requirements of the Rule and with the requirements of Rule G-32 of the Municipal Securities Rulemaking Board.

Section 6. The Mayor, City Manager, Finance Director, Clerk, and the other officers and representatives of the Issuer, the Municipal Advisor and Bond Counsel are hereby authorized and directed to take such other action as may be necessary to carry out the sale of the Bonds. The transactions described in this Resolution may be conducted, and documents related to the Bonds may be sent, received, executed, and stored, by electronic means or transmissions. Copies, telecopies, electronic files and other reproductions of original executed documents (or documents executed by electronic means or transmissions) shall be deemed to be authentic and valid counterparts of such documents for all purposes, including the filing of any claim, action or suit in the appropriate court of law.

Section 7. This Resolution shall be in full force and effect from and after its adoption by the Governing Body.

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ADOPTED by the City Commission on January 9, 2025.

(SEAL)

Mayor

ATTEST:

Clerk

EXHIBIT A

**CERTIFICATE DEEMING
PRELIMINARY OFFICIAL STATEMENT FINAL**

_____, 2025

Re: City of Independence, Kansas, Taxable General Obligation Bonds, Series 2025-A

The undersigned are the duly acting Mayor and Finance Director of the City of Independence, Kansas (the “Issuer”), and are authorized to deliver this Certificate to the purchaser (the “Purchaser”) of the above-referenced bonds (the “Bonds”) on behalf of the Issuer. The Issuer has previously caused to be delivered to the Purchaser copies of the Preliminary Official Statement (the “Preliminary Official Statement”) relating to the Bonds.

For the purpose of enabling the Purchaser to comply with the requirements of Rule 15c2-12(b)(1) of the Securities and Exchange Commission (the “Rule”), the Issuer hereby deems the information regarding the Issuer contained in the Preliminary Official Statement to be final as of its date, except for the omission of such information as is permitted by the Rule, such as offering prices, interest rates, selling compensation, aggregate principal amount, principal per maturity, delivery dates, ratings, identity of the underwriters and other terms of the Bonds depending on such matters.

CITY OF INDEPENDENCE, KANSAS

By: _____
Title: Mayor

By: _____
Title: Finance Director

NOTICE OF BOND SALE

\$10,200,000*

CITY OF INDEPENDENCE, KANSAS

**TAXABLE GENERAL OBLIGATION BONDS
SERIES 2025-A**

(GENERAL OBLIGATION BONDS PAYABLE FROM UNLIMITED AD VALOREM TAXES)

Bids. Facsimile and electronic (as explained below) bids for the purchase of the above-referenced bonds (the “Bonds”) of the City of Independence, Kansas (the “Issuer” or “City”) herein described will be received on behalf of the Finance Director of the Issuer at the address hereinafter set forth in the case of facsimile bids, and via PARITY® in the case of electronic bids, until 10:30 A.M. applicable Central Time (the “Submittal Hour”), on

FEBRUARY 25, 2025

(the “Sale Date”). All bids will be publicly evaluated at said time and place and the award of the Bonds to the successful bidder (the “Successful Bidder”) will be acted upon immediately thereafter by the City Manager or designee, and subsequently ratified by the City Commission of the Issuer (the “Governing Body”) at its meeting to be held at 5:30 P.M. on February 27, 2025. No oral, auction, or written bids will be considered. Other capitalized terms not otherwise defined herein shall have the meanings set forth in the hereinafter referenced Preliminary Official Statement relating to the Bonds.

Terms of the Bonds. The Bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof (the “Authorized Denomination”). The Bonds will be dated March 27, 2025 (the “Dated Date”), and will become due in principal installments on October 1 in the years as follows:

<u>Year</u>	<u>Principal Amount*</u>	<u>Year</u>	<u>Principal Amount*</u>
2025	\$1,835,000	2028	\$2,140,000
2026	1,940,000	2029	2,250,000
2027	2,035,000		

The Bonds will bear interest from the Dated Date at rates to be determined when the Bonds are sold as hereinafter provided, which interest will be payable semiannually on April 1 and October 1 in each year, beginning on October 1, 2025 (the “Interest Payment Dates”).

***Adjustment of Issue Size.** The Issuer reserves the right to increase or decrease the total principal amount of the Bonds or the schedule of principal payments described above, depending on the purchase price and interest rates bid and the offering prices specified by the Successful Bidder, but in no event will the total principal amount of the Bonds exceed \$10,750,000. The Successful Bidder may not withdraw its bid or change the interest rates bid as a result of any changes made to the principal amount of the Bonds or the schedule of principal payments as described herein. If there is an increase or decrease in the final aggregate principal amount of the Bonds or the schedule of principal payments as described above, the Issuer will notify the Successful Bidder by means of telephone, electronic or facsimile transmission, subsequently confirmed in writing, no later than 2:00 p.m. applicable Central Time, on the 600324.20162\SALEDOCS v.2

Sale Date. The actual purchase price for the Bonds shall be calculated by applying the percentage of par value bid by the Successful Bidder against the final aggregate principal amount of the Bonds, as adjusted, plus accrued interest from the Dated Date to the Closing Date (as hereinafter defined).

Place of Payment. The principal of and interest on the Bonds will be payable in lawful money of the United States of America by check or draft of the Treasurer of the State of Kansas, Topeka, Kansas (the “Paying Agent” and “Bond Registrar”). The principal of each Bond will be payable at maturity or earlier redemption to the owner thereof whose name is on the registration books (the “Bond Register”) of the Bond Registrar (the “Registered Owner”) upon presentation and surrender at the principal office of the Paying Agent. Interest on each Bond will be payable to the Registered Owner of such Bond as of the fifteenth day (whether or not a business day) of the calendar month next preceding each Interest Payment Date (the “Record Date”) (a) mailed by the Paying Agent to the address of such Registered Owner as shown on the Bond Register or at such other address as is furnished to the Paying Agent in writing by such Registered Owner; or (b) in the case of an interest payment to Cede & Co. or any Owner of \$500,000 or more in aggregate principal amount of Bonds, by wire transfer to such Registered Owner upon written notice given to the Paying Agent by such Registered Owner, not less than 15 days prior to the Record Date for such interest, containing the wire transfer address to which such Registered Owner wishes to have such wire directed.

Bond Registration. The Bonds will be registered pursuant to a plan of registration approved by the Issuer and the Attorney General of the State of Kansas (the “State”). The Issuer will pay for the fees of the Bond Registrar for registration and transfer of the Bonds and will also pay for printing a reasonable supply of registered bond blanks. Any additional costs or fees that might be incurred in the secondary market, other than fees of the Bond Registrar, will be the responsibility of the Owners.

Book-Entry-Only System. The Depository Trust Company, New York, New York (“DTC”), will act as securities depository for the Bonds. The Bonds will initially be issued exclusively in “book entry” form and shall be initially registered in the name of Cede & Co., as the nominee of DTC and no beneficial owner will receive certificates representing their interests in the Bonds. During the term of the Bonds, so long as the book-entry-only system is continued, the Issuer will make payments of principal of, premium, if any, and interest on the Bonds to DTC or its nominee as the Registered Owner of the Bonds. DTC will make book-entry-only transfers among its participants and receive and transmit payment of principal of, premium, if any, and interest on the Bonds to its participants who shall be responsible for transmitting payments to beneficial owners of the Bonds in accordance with agreements between such participants and the beneficial owners. The Issuer will not be responsible for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through such participants. In the event that: (a) DTC determines not to continue to act as securities depository for the Bonds, or (b) the Issuer determines that continuation of the book-entry-only form of evidence and transfer of ownership of the Bonds would adversely affect the interests of the beneficial owners of the Bonds, the Issuer will discontinue the book-entry-only form of registration with DTC. If the Issuer fails to identify another qualified securities depository to replace DTC, the Issuer will cause to be authenticated and delivered to the beneficial owner’s replacement Bonds in the form of fully registered certificates. Reference is made to the Official Statement for further information regarding the book-entry-only system of registration of the Bonds and DTC.

Redemption of Bonds Prior to Maturity.

The Bonds are **not** subject to optional redemption prior to maturity.

Mandatory Redemption. A bidder may elect to have all or a portion of the Bonds scheduled to mature in consecutive years issued as term bonds (the “Term Bonds”) scheduled to mature in the latest of said consecutive years and subject to mandatory redemption requirements consistent with the schedule of

serial maturities set forth above, subject to the following conditions: (a) not less than all Bonds of the same serial maturity shall be converted to Term Bonds with mandatory redemption requirements; and (b) a bidder shall make such an election by completing the applicable paragraph on the Official Bid Form or completing the applicable information on PARITY®.

Authority, Purpose and Security. The Bonds are being issued pursuant to K.S.A. 65-163d *et seq.*, as amended, and an ordinance and a resolution adopted by the Governing Body (collectively the “Bond Resolution”) for the purpose of paying the cost of certain capital improvements (the “Improvements”). The Bonds shall be general obligations of the Issuer payable as to both principal and interest from ad valorem taxes which may be levied without limitation as to rate or amount upon all the taxable tangible property, real and personal, within the territorial limits of the Issuer. The full faith, credit and resources of the Issuer are irrevocably pledged for the prompt payment of the principal and interest on the Bonds as the same become due.

Submission of Bids. Facsimile bids must be made on forms which may be procured from the Municipal Advisor and shall be addressed to the Finance Director, and marked “Proposal for Taxable General Obligation Bonds, Series 2025-A.” Facsimile bids should not be preceded by a cover sheet and should be sent only once to **(620) 332-2511**. Confirmation of receipt of facsimile bids may be made by contacting the Municipal Advisor at the number listed at the bottom of this Notice. Electronic bids via PARITY® must be submitted in accordance with its Rules of Participation, as well as the provisions of this Notice of Bond Sale. ***Any bid submitted shall include the initial offering prices to the public for each maturity of the Bonds.*** If provisions of this Notice of Bond Sale conflict with those of PARITY®, this Notice of Bond Sale shall control. Bids must be received prior to the Submittal Hour on the Sale Date accompanied by the Deposit (as hereinafter defined), which may be submitted separately. The Issuer and Municipal Advisor shall not be responsible for failure of transmission of facsimile or delivery by mail or in person of any bid.

PARITY®. Information about the electronic bidding services of PARITY® may be obtained from i-Deal LLC at 1359 Broadway, 2nd Floor, New York, New York 10018, Phone No. (212) 849-5023.

Conditions of Bids. Proposals will be received on the Bonds bearing such rate or rates of interest as may be specified by the bidders, subject to the following conditions: (a) the same rate shall apply to all Bonds of the same maturity year; (b) no interest rate may exceed a rate equal to the daily yield for the 10-year Treasury Bond published by **THE BOND BUYER**, in New York, New York, on the Monday next preceding the day on which the Bonds are sold, plus 4%; and (c) no supplemental interest payments will be considered. No bid for less than **99%** of the principal amount of the Bonds will be considered. Each bid shall specify the total interest cost (expressed in dollars) during the term of the Bonds on the basis of such bid, the discount, if any, the premium, if any, offered by the bidder, the net interest cost (expressed in dollars) on the basis of such bid, and an estimate of the TIC (as hereinafter defined) on the basis of such bid. Each bidder shall certify to the Issuer the correctness of the information contained on the Official Bid Form; the Issuer will be entitled to rely on such certification.

Good Faith Deposit. A good faith deposit (the “Deposit”) in the amount of \$204,000 payable to the order of the Issuer is required in order to secure the Issuer from any loss resulting from the failure of the bidder to comply with the terms of its bid. ***The Deposit must be received via wire transfer submitted by the Successful Bidder in Federal Reserve funds, immediately available for use by the Issuer not later than 2:00 p.m. applicable Central Time on the Sale Date.*** Wire transfer information may be obtained from the Municipal Advisor at the address set forth below.

Contemporaneously with the submission of the wire transfer Deposit, such bidder shall send an email to the Municipal Advisor at the email address set forth below, including the following information: (a) notification that a wire transfer has been made; (b) the amount of the wire transfer; and (c) return wire

transfer instructions in the event such bid is unsuccessful. Wire transfer Deposits submitted by unsuccessful bidders will not be accepted or shall be returned in the same manner received on the Sale Date. The Issuer reserves the right to withhold reasonable charges for any fees or expenses incurred in returning a wire transfer Deposit. No interest on the Deposit will be paid by the Issuer. If a bid is accepted, the Deposit, or the proceeds thereof, will be held by the Issuer until the Successful Bidder has complied with all of the terms and conditions of this Notice at which time the amount of said Deposit shall be returned to the Successful Bidder or deducted from the purchase price at the option of the Issuer. If a bid is accepted but the Issuer fails to deliver the Bonds to the Successful Bidder in accordance with the terms and conditions of this Notice, said Deposit, or the proceeds thereof, will be returned to the Successful Bidder. If a bid is accepted but the bidder defaults in the performance of any of the terms and conditions of this Notice, the proceeds of such Deposit will be retained by the Issuer as and for liquidated damages.

Basis of Award. Subject to the timely receipt of the Deposit set forth above, the award of the Bonds will be made on the basis of the lowest true interest cost ("TIC"), which will be determined as follows: the TIC is the discount rate (expressed as a per annum percentage rate) which, when used in computing the present value of all payments of principal and interest to be paid on the Bonds, from the payment dates to the Dated Date, produces an amount equal to the price bid, including any adjustments for premium or discount, if any. Present value will be computed on the basis of semiannual compounding and a 360-day year of twelve 30-day months. Bidders are requested to provide a calculation of the TIC for the Bonds on the Official Bid Form, computed as specified herein on the basis of their respective bids, which shall be considered as informative only and not binding on either the Issuer or the bidder. The Municipal Advisor will verify the TIC based on such bids. If there is any discrepancy between the TIC specified and the bid price and interest rates specified, the specified bid price and interest rates shall govern and the TIC specified in the bid shall be adjusted accordingly. If two or more proper bids providing for identical amounts for the lowest TIC are received, the Governing Body will determine which bid, if any, will be accepted, and its determination is final.

The Issuer reserves the right to reject any and/or all bids and to waive any irregularities in a submitted bid. Any bid received after the Submittal Hour on the Sale Date will not be considered. Any disputes arising hereunder shall be governed by the laws of the State, and any party submitting a bid agrees to be subject to jurisdiction and venue of the federal and state courts within the State with regard to such dispute.

The Issuer's acceptance of the Successful Bidder's proposal for the purchase of the Bonds in accordance with this Notice of Bond Sale shall constitute a bond purchase agreement between the Issuer and the Successful Bidder for purposes of the laws of the State and a contract between the Issuer and the Successful Bidder for the purposes of Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") and Rule G-32 of the Municipal Securities Rulemaking Board ("Rule G-32"). The method of acceptance shall be determined solely by the Governing Body.

Bond Ratings. The outstanding general obligation bonds of the Issuer are rated "A" by S&P Global Ratings, a division of S&P Global Inc. ("S&P"). The Issuer has applied to S&P for a rating on the Bonds herein offered for sale.

Optional Bond Insurance. The Issuer has **not** applied for any policy of municipal bond insurance with respect to the Bonds. If the Bonds qualify for municipal bond insurance, and any bidder desires to purchase such policy, such indication and the name of the desired insurer must be set forth on the bidder's Official Bid Form. The Issuer specifically reserves the right to reject any bid specifying municipal bond insurance, even though such bid may result in the lowest TIC to the Issuer.

If the Successful Bidder elects to purchase the Bonds with municipal bond insurance, certain rating agencies will assign their ratings to the Bonds with the understanding that upon delivery of the Bonds, a policy insuring the payment when due of the principal of and interest on the Bonds will be issued by such bond insurer. All costs associated with the purchase and issuance of such municipal bond insurance policy and associated ratings and expenses (other than any independent rating requested by the Issuer) shall be paid by the Successful Bidder. Failure of the municipal bond insurer to issue the policy after the award of the Bonds shall not constitute cause for failure or refusal by the Successful Bidder to accept delivery of the Bonds.

CUSIP Numbers. CUSIP identification numbers will be assigned and printed on the Bonds, but neither the failure to print such number on any Bond nor any error with respect thereto shall constitute cause for failure or refusal by the purchaser thereof to accept delivery of and pay for the Bonds in accordance with the terms of this Notice. The Municipal Advisor will apply for CUSIP numbers pursuant to Rule G-34 implemented by the Municipal Securities Rulemaking Board. All expenses in relation to the assignment and printing of CUSIP numbers on the Bonds will be paid by the Issuer.

Delivery and Payment. The Issuer will pay for the preparation of the Bonds and will deliver the Bonds properly prepared, executed and registered without cost on or about **MARCH 27, 2025** (the "Closing Date"), to DTC for the account of the Successful Bidder. The Successful Bidder will be furnished with a certified transcript of the proceedings evidencing the authorization and issuance of the Bonds and the usual closing documents, including a certificate that there is no litigation pending or threatened at the time of delivery of the Bonds affecting their validity and a certificate regarding the completeness and accuracy of the Official Statement. Payment for the Bonds shall be made in federal reserve funds, immediately available for use by the Issuer. The Issuer will deliver one Bond of each maturity registered in the nominee name of DTC.

The Successful Bidder will also agree to cooperate with the Issuer in providing information necessary to comply with any inquiry made by the Securities and Exchange Commission regarding the Bonds.

Preliminary Official Statement and Official Statement. The Issuer has prepared a Preliminary Official Statement relating to the Bonds, "deemed final" by the Issuer except for the omission of certain information as provided in the Rule, copies of which may be obtained from the Municipal Advisor. Upon the sale of the Bonds, the Issuer will adopt the final Official Statement and will furnish the Successful Bidder, without cost, within seven business days of the acceptance of the Successful Bidder's proposal, with a sufficient number of copies thereof, which may be in electronic format, in order for the Successful Bidder to comply with the requirements of the Rule and Rule G-32. Additional copies may be ordered by the Successful Bidder at its expense.

Continuing Disclosure. In the Bond Resolution, the Issuer has covenanted to annually provide certain financial information and operating data and other information necessary to comply with the Rule, and to transmit the same to the Municipal Securities Rulemaking Board. This covenant is for the benefit of and is enforceable by any Registered Owner of the Bonds. For further information, reference is made to the caption "CONTINUING DISCLOSURE" in the Preliminary Official Statement.

Assessed Valuation and Indebtedness. The total assessed valuation of the taxable tangible property within the Issuer for the year 2024 is as follows:

Equalized Assessed Valuation of	
Taxable Tangible Property	\$[_____]
Tangible Valuation of Motor Vehicles (2023)	[_____]
Equalized Assessed Tangible Valuation	
for Computation of Bonded Debt Limitations	\$[_____]

The total general obligation indebtedness of the Issuer as of the Dated Date, including the Bonds being sold, is \$40,590,000. Temporary notes in the principal amount of \$10,000,000 will be retired out of proceeds of the Bonds, which will reduce the outstanding general obligation indebtedness of the Issuer to \$30,590,000.

Legal Opinion. The Bonds will be sold subject to the approving legal opinion of GILMORE & BELL, P.C., WICHITA, KANSAS, Bond Counsel to the Issuer, which opinion will be furnished and paid for by the Issuer, will be printed on the Bonds, if the Bonds are printed, and will be delivered to the Successful Bidder when the Bonds are delivered. Said opinion will also include the opinion of Bond Counsel relating to the interest on the Bonds being exempt from income taxation by the State. Reference is made to the Preliminary Official Statement for further discussion of federal and State income tax matters relating to the interest on the Bonds.

Electronic Transactions. The transactions described herein may be conducted and related documents may be sent, received and stored by electronic means or transmissions. All bid documents, closing documents, certificates, ordinances, resolutions and related instruments may be executed by electronic means or transmissions. Copies, telecopies, electronic files and other reproductions of original executed documents (or documents executed by electronic means or transmissions) shall be deemed to be authentic and valid counterparts of such documents for all purposes, including the filing of any claim, action or suit in the appropriate court of law.

Additional Information. Additional information regarding the Bonds may be obtained from the undersigned or from the Municipal Advisor at the addresses set forth below:

DATED: January 9, 2025.

CITY OF INDEPENDENCE, KANSAS

By: Lacey Lies, Finance Director

Issuer:

City Hall
120 North 6th Street
Independence, Kansas 67301
Attn: Finance Director
Phone No.: (620) 332-2505
Fax No.: (620) 332-2511
Email: lacey1@independenceks.gov

Municipal Advisor:

Piper Sandler & Co.
11635 Rosewood Street
Attn: Clayton Kelley
Phone No.: (913) 345-3300
Email: clayton.kelley@psc.com

SUMMARY NOTICE OF BOND SALE

\$10,200,000*

CITY OF INDEPENDENCE, KANSAS TAXABLE GENERAL OBLIGATION BONDS, SERIES 2025-A

(GENERAL OBLIGATION BONDS PAYABLE FROM UNLIMITED AD VALOREM TAXES)

Bids. SUBJECT to the Notice of Bond Sale dated January 9, 2025 (the “Notice”), facsimile and electronic bids will be received on behalf of the Finance Director of the City of Independence, Kansas (the “Issuer”) in the case of facsimile bids, at the address set forth below, and in the case of electronic bids, through **PARITY®** until 10:30 A.M. applicable Central Time, on **FEBRUARY 25, 2025** for the purchase of the above-referenced bonds (the “Bonds”). No bid of less than **99%** of the principal amount of the Bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details. The Bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The Bonds will be dated March 27, 2025, and will become due on October 1 in the years as follows:

<u>Year</u>	<u>Principal Amount*</u>	<u>Year</u>	<u>Principal Amount*</u>
2025	\$1,835,000	2028	\$2,140,000
2026	1,940,000	2029	2,250,000
2027	2,035,000		

* Subject to change, see the Notice

The Bonds will bear interest from the date thereof at rates to be determined when the Bonds are sold as hereinafter provided, which interest will be payable semiannually on April 1 and October 1 in each year, beginning on October 1, 2025.

Book-Entry-Only System. The Bonds shall be registered under a book-entry-only system administered through DTC.

Paying Agent and Bond Registrar. Treasurer of the State of Kansas, Topeka, Kansas.

Good Faith Deposit. Each bid shall be accompanied (in the manner set forth in the Notice) by a good faith deposit in the form of a wire transfer in Federal Reserve funds immediately available for use by the Issuer in the amount of \$204,000.

Delivery. The Issuer will pay for preparation of the Bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about **March 27, 2025**, to DTC for the account of the successful bidder.

Assessed Valuation and Indebtedness. The Equalized Assessed Tangible Valuation for Computation of Bonded Debt Limitations for the year 2024 is \$[_____]. The total general obligation indebtedness of the Issuer as of the Dated Date, including the Bonds being sold, is \$40,590,000.

Approval of Bonds. The Bonds will be sold subject to the legal opinion of GILMORE & BELL, P.C., WICHITA, KANSAS, Bond Counsel to the Issuer, whose approving legal opinion as to the validity of the Bonds will be furnished and paid for by the Issuer, printed on the Bonds and delivered to the successful bidder as and when the Bonds are delivered.

Additional Information. Additional information regarding the Bonds may be obtained from the Municipal Advisor at the address set forth below:

DATED: January 9, 2025.

Issuer:

City of Independence, Kansas
City Hall
811 W. Laurel St.
Independence, Kansas 67301
Attn: Lacey Lies, Finance Director
Phone No.: (620) 332-2505
Fax No.: (620) 332-2511
Email: lacey1@independenceks.gov

Municipal Advisor:

Piper Sandler & Co.
11635 Rosewood Street
Attn: Clayton Kelley
Phone No.: (913) 345-3300
Email: clayton.kelley@psc.com

KANSAS REGISTER

DOCUMENT NO. _____

(Above space for Register Office Use)

Submission Form
Municipal Bond Sale Notice
(K.S.A. 10-106 as amended)

TITLE OF
DOCUMENT

SUMMARY NOTICE OF BOND SALE

Re: City of Independence, Kansas, Taxable General Obligation Bonds, Series 2025-A, Dated March 27, 2025.

NUMBER OF PAGES: 2

DESIRED PUBLICATION DATE: FEBRUARY 6, 2025

BILL TO: Lacey Lies, Finance Director
City of Independence, Kansas
City Hall
120 North 6th Street, Independence, Kansas 67301

Please email an Affidavit of Publication to Johnna Middleton
(jmiddleton@gilmorebell.com) at your earliest opportunity.

Any questions regarding this document should be directed to:

NAME Johnna Middleton PHONE (316) 267-2091

Certification

I hereby certify that I have reviewed the attached and herein described document, and that it conforms to all applicable **Kansas Register** publication guidelines. I further certify that submission of this item for publication in the **Kansas Register** is authorized by the municipality which has issued the notice.

Authorized Signature

Typed Name of Signer

Position

TRANSMIT TO: Kansas Register; Secretary of State; State Capitol, Topeka, KS 66612
PHONE: (785) 296-3489; FAX: (785) 291-3051; EMAIL: kansasregister@sos.ks.gov

THIS SPACE FOR REGISTER OFFICE USE ONLY

OFFICIAL BID FORM
PROPOSAL FOR THE PURCHASE OF CITY OF INDEPENDENCE, KANSAS
TAXABLE GENERAL OBLIGATION BONDS, SERIES 2025-A

TO: Lacey Lies, Finance Director, City of Independence, Kasnas

February 25, 2025

For \$10,200,000* principal amount of Taxable General Obligation Bonds, Series 2025-A, of the City of Independence, Kansas (the "Issuer"), to be dated March 27, 2025, as described in the Notice of Bond Sale dated January 9, 2025 (the "Notice"), said Bonds to bear interest as follows:

<u>Stated Maturity October 1</u>	<u>Principal Amount*</u>	<u>Annual Rate of Interest</u>	<u>Initial Offering Price</u>	<u>Stated Maturity October 1</u>	<u>Principal Amount*</u>	<u>Annual Rate of Interest</u>	<u>Initial Offering Price</u>
2025	\$1,835,000	_____ %	_____ %	2028	\$2,140,000	_____ %	_____ %
2026	1,940,000	_____ %	_____ %	2029	2,250,000	_____ %	_____ %
2027	2,035,000	_____ %	_____ %			_____ %	_____ %

* Subject to change, see the Notice

the undersigned will pay the purchase price for the Bonds set forth below, plus accrued interest to the date of delivery.

Principal Amount\$10,200,000*.00
Less Discount (not to exceed 1%)-
Plus Premium (if any)
Total Purchase Price\$

Total interest cost to maturity at the rates specified\$
Net interest cost (adjusted for Discount and/or Premium).....\$
True Interest Cost %

- ☐ The Bidder elects to purchase Municipal Bond Insurance from (circle one of the following): [AG] [BAM]
☐ The Bidder elects to have the following Term Bonds:

Maturity Date	Years	Amount*
October 1, _____	_____ to _____	\$ _____
October 1, _____	_____ to _____	\$ _____

*subject to mandatory redemption requirements in the amounts and at the times shown above.

This proposal is subject to all terms and conditions contained in the Notice, and if the undersigned is the Successful Bidder, the undersigned will comply with all of the provisions contained in the Notice. A wire transfer in the amount of \$204,000 payable to the order of the Issuer, submitted in the manner set forth in the Notice accompanies this proposal as an evidence of good faith. The acceptance of this proposal by the Issuer by execution below shall constitute a contract between the Issuer and the Successful Bidder for purposes of complying with Rule 15c2-12 of the Securities and Exchange Commission and a bond purchase agreement for purposes of the laws of the State of Kansas.

Submitted by: _____

(LIST ACCOUNT MEMBERS ON REVERSE)

By: _____
Telephone No. (____) _____

ACCEPTANCE

The above proposal is hereby accepted on behalf of the Issuer on February 25, 2025.

Attest:

City Manager

NOTE: No additions or alterations in the above proposal form shall be made, and any erasures may cause rejection of any bid. Facsimile bids may be filed with the Finance Director, Fax No. (620) 332-2511, and electronic bids may be submitted via **PARITY**®, at or prior to 10:30 A.M. applicable Central Time, on February 25, 2025. Any bid received after such time will not be accepted or shall be returned to the bidder.

CITY OF INDEPENDENCE, KANSAS
TAXABLE GENERAL OBLIGATION BONDS, SERIES 2025

DISTRIBUTION LIST	
ISSUER CITY OF INDEPENDENCE, KANSAS 811 West Laurel Street Independence, Kansas 67301 Telephone: (620) 332-2500 Fax: (620) 332-2511 Kelly Passauer, City Manager E-mail: kellyp@independenceks.gov Lacey Lies, Finance Director E-mail: lanceyl@independenceks.gov David Schwenker, City Clerk E-mail: davids@independenceks.gov	BOND COUNSEL GILMORE & BELL, P.C. 100 N. Main, Suite 800 Wichita, Kansas 67202 Telephone: (316) 267-2091 Fax: (316) 262-6523 Garth J. Herrmann, Esq. E-mail: gherrmann@gilmorebell.com Mitch L. Walter, Esq. E-mail: mwalter@gilmorebell.com Johnna K. Middleton, Legal Practice Assistant E-mail: jmiddleton@gilmorebell.com
ISSUER'S COUNSEL EMERT CHUBB REYNOLDS, LLC 204 E. Laurel Street P.O. Box 747 Independence, Kansas 67301 Telephone: (620) 331-1800 Fax: (620) 331-1807 Jeffrey A. Chubb, Esq. E-mail: jchubb@sehc-law.com	PAYING AGENT TREASURER OF THE STATE OF KANSAS Landon State Office Building 900 Southwest Jackson, Suite 201 Topeka, Kansas 66612-1235 Telephone: (785) 296-3171 Fax: (785) 296-6976 Shauna Wake, Director of Fiscal Services Telephone: (785) 296-4160 E-mail: bond.newissues@treasurer.state.ks.us
MUNICIPAL ADVISOR PIPER SANDLER & CO. 11635 Rosewood Street Leawood, Kansas 66211 Telephone: (913) 345-3300 Dustin Avey, Managing Director E-mail: dustin.avey@psc.com Clayton Kelley, Senior Vice President Telephone: (913) 345-3377 E-mail: clayton.kelley@psc.com Brett Knorr, Associate E-mail: brett.knorr@psc.com Elaina Grantham, Analyst E-mail: elaina.grantham@psc.com Bethany Duckworth E-mail: bethany.duckworth@psc.com Mitzi Black E-mail: mitzi.black@psc.com	PURCHASER TO BE DETERMINED



REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
January 9, 2025

Department Admin

Director Approval Kelly Passauer

AGENDA ITEM Consider adopting a resolution implementing the 2025 Pay Plan.

SUMMARY RECOMMENDATION City staff recommends approval of the 2025 Pay Plan Resolution.

BACKGROUND The City's pay plan is updated annually to reflect inflationary changes and maintain competitiveness in the labor market. For 2025, a Cost of Living Adjustment (COLA) of 3.5% is recommended, aligning with the amount budgeted for this purpose. This increase, however, will not apply to employees transitioning to the Kansas Police & Firefighters (KP&F) Retirement Plan. Those employees voted to waive their 2025 COLA to fund the transition, which requires a significantly higher employer contribution.

While the Consumer Price Index (CPI) for the past 12 months is 2.7% based on the most recent data, we are recommending a 3.5% COLA because our pay plan has fallen behind over the last several years. For example, the entry pay for a Public Service Worker I was \$12.23 when the 2016 pay plan was adopted (Resolution 2016-035) on June 23, 2016. Using the [Bureau of Labor Statistics Inflation Calculator](#), the purchasing power of \$12.23 in April 2016 equates to \$16.13 in November 2024. These months were chosen because CPI data is typically two months behind, and they represent the most recent data available when the comparative pay plans were or are proposed to be adopted, June 2016 and January 2025, respectively.

CPI Inflation Calculator

\$

in

has the same buying power as

in

To match the inflation-adjusted purchasing power of \$16.13, the proposed entry rate of \$15.09 would need to be increased by an additional 6.89%. While we would prefer to catch up the City's pay plan sooner, the proposed adjustment demonstrates the City's commitment to gradually closing this gap over time to remain competitive while upholding fiscal responsibility.

Additionally, the following changes were made to the pay plan from the previous year:

- Assistant City Manager: Moved from Grade 32 to Grade 34. Adjusted as other positions are reclassified to reflect that this position is second in command.
- Finance Director: Moved from Grade 29 to Grade 31 (moved from Grade 28 to 29 last year). This modification reflects additional administrative duties.
- Police Chief: Moved from Grade 29 to Grade 30. This modification was made when this position was advertised to make it more competitive.
- Fire/EMS Chief: Moved from Grade 28 to Grade 30. This position's job description was also revised to require Paramedic certification, enabling the Fire/EMS Chief to serve as EMS Director in lieu of the Assistant City Manager.
- Staff Accountant: Added as a new position at Grade 20 at the request of the Finance Director.

FINANCIAL INFORMATION The 3.5% pay adjustment has been included in the 2025 budget. The adjustment applies to all full-time employees, less those transitioning to KP&F. It will be effective January 12, 2025, and eligible employees will see the adjustment reflected in their January 31, 2025 paychecks. There are no anticipated additional financial impacts beyond what has been budgeted, ensuring the City can implement the increase while maintaining fiscal stability.

SUGGESTED MOTION I move to adopt a resolution authorizing the 2025 pay plan.

SUPPORTING DOCUMENTS

1. RESOLUTION 2025-001 - PAY PLAN RESOLUTION
2. 2025 Pay Plan

RESOLUTION NO. 2025-001

WHEREAS, Ordinance No. 3061 of the City of Independence, Kansas, provides that the Governing Body of said City shall determine compensation of City officers and employees by appropriate resolution;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF INDEPENDENCE, KANSAS;

SECTION 1 The attached pay grade and pay ranges are established for employees of the City of Independence, for the following:

1. Personnel who work 40 hours in a seven-day work period,
2. Personnel in the Fire/EMS Department who are assigned to fire suppression and emergency medical activities are assigned to a 21-day duty cycle, and
3. Sworn personnel in the Police Department who are assigned to a 14-day duty cycle which contains up to 86 scheduled hours of work.

SECTION 2 The City Manager shall have the following salary range effective as of January 12, 2025: \$3,675.20 and \$5,328.80 per pay period.

SECTION 3 All employees, upon initial employment, shall be placed at the minimum of their assigned pay grade. Starting rates above minimum must be approved by the City Manager.

SECTION 4 Merit salary increases may be granted at the discretion of the City Manager and based on employee performance evaluations.

SECTION 5 Part time employees, seasonal employees or employees hired under a training program shall have their rate of pay established by the City Manager.

SECTION 6 The City Manager is authorized to establish new classifications and assign the new classification and pay grade provided in SECTION 1 as needed.

SECTION 7 USE OF PERSONAL AUTOMOBILE: Any employee using his personal automobile for official City business shall be entitled to reimbursement at the rate paid for use of a personal vehicle by the IRS.

SECTION 8 This resolution shall take effect and be in force from and after January 12, 2025.

SECTION 9 If there is a conflict between this resolution and any other resolution or any employment policy, this resolution shall prevail.

PASSED AND APPROVED THIS 9th DAY OF JANUARY 2025.

THE CITY OF INDEPENDENCE

Mayor

ATTEST:

David Schwenker, City Clerk



City of Independence

2025 Pay Plan



Hourly Pay Rates

Annual Pay Rates

		Pay Range		
Position	Grade	Minimum	Midpoint	Maximum
40 Hour/Seven-day Work Period				
	36	\$45.94	\$56.28	\$66.61
	35	\$43.76	\$53.61	\$63.45
Assistant City Manager	34	\$41.94	\$51.38	\$60.81
	33	\$39.94	\$48.93	\$57.91
	32	\$38.04	\$46.60	\$55.16
	32	\$38.04	\$46.60	\$55.16
Finance Director	31	\$36.32	\$44.49	\$52.66
City Engineer/Dir of Pub Works & Utilities	31	\$36.32	\$44.49	\$52.66
Fire/EMS Chief	30	\$34.70	\$42.51	\$50.32
Police Chief	30	\$34.70	\$42.51	\$50.32
	29	\$33.09	\$40.54	\$47.98
	28	\$31.59	\$38.70	\$45.81
Public Works Director	28	\$31.59	\$38.70	\$45.81
Water/Sewer Utilities Director	28	\$31.59	\$38.70	\$45.81
Park & Zoo Director	27	\$30.07	\$36.84	\$43.60
	26	\$28.63	\$35.07	\$41.51
I.T. Technician/Coordinator	25	\$27.36	\$33.52	\$39.67
Assistant Director of Public Works & Utilities	24	\$26.10	\$31.98	\$37.85
City Clerk/Treasurer	23	\$24.90	\$30.51	\$36.11
Assistant Director of Utilities	22	\$23.77	\$29.12	\$34.47
Assistant Public Works Director	22	\$23.77	\$29.12	\$34.47
Chief Water Plant Operator	22	\$23.77	\$29.12	\$34.47
Chief Wastewater Plant Operator	22	\$23.77	\$29.12	\$34.47
Deputy City Clerk	21	\$22.61	\$27.70	\$32.78
Administrative Assistant	21	\$22.61	\$27.70	\$32.78
Airport Supervisor	20	\$21.63	\$26.50	\$31.36
Dispatch/Records Supervisor	20	\$21.63	\$26.50	\$31.36
Sanitation Supervisor	20	\$21.63	\$26.50	\$31.36
Street Supervisor	20	\$21.63	\$26.50	\$31.36
Water/Sewer Supervisor	20	\$21.63	\$26.50	\$31.36
Staff Accountant	20	\$21.63	\$26.50	\$31.36
Building Inspector	19	\$20.80	\$25.48	\$30.16
Water Plant Operator II	19	\$20.80	\$25.48	\$30.16
Wastewater Plant Operator II	19	\$20.80	\$25.48	\$30.16
Administrative Aide	18	\$19.83	\$24.29	\$28.75
Cemetery Sexton	18	\$19.83	\$24.29	\$28.75
Events Coord/Memorial Hall Supervisor	18	\$19.83	\$24.29	\$28.75
Lead Dispatcher	18	\$19.83	\$24.29	\$28.75
Parks Supervisor	18	\$19.83	\$24.29	\$28.75
Zoo Supervisor	18	\$19.83	\$24.29	\$28.75
Building Inspector Trainee	17	\$19.05	\$23.34	\$27.62
Code Enforcement Officer	17	\$19.05	\$23.34	\$27.62
Clerk III	17	\$19.05	\$23.34	\$27.62
Animal Control/Bailiff/Code Enforcement Officer	17	\$19.05	\$23.34	\$27.62
Court Clerk III	17	\$19.05	\$23.34	\$27.62
Maintenance III	17	\$19.05	\$23.34	\$27.62
Public Service Worker III	17	\$19.05	\$23.34	\$27.62
Water Plant Operator I	17	\$19.05	\$23.34	\$27.62
Wastewater Plant Operator I	17	\$19.05	\$23.34	\$27.62
Zookeeper III	17	\$19.05	\$23.34	\$27.62
Dispatcher/Clerk II	16	\$18.33	\$22.46	\$26.58

Grade	Pay Range		
	Minimum	Midpoint	Maximum
36	\$95,555	\$117,062	\$138,549
35	\$91,021	\$111,509	\$131,976
34	\$87,235	\$106,870	\$126,485
33	\$83,075	\$101,774	\$120,453
32	\$79,123	\$96,928	\$114,733
32	\$79,123	\$96,928	\$114,733
31	\$75,546	\$92,539	\$109,533
31	\$75,546	\$92,539	\$109,533
30	\$72,176	\$88,421	\$104,666
30	\$72,176	\$88,421	\$104,666
29	\$68,827	\$84,323	\$99,798
28	\$65,707	\$80,496	\$95,285
28	\$65,707	\$80,496	\$95,285
28	\$65,707	\$80,496	\$95,285
27	\$62,546	\$76,627	\$90,688
26	\$59,550	\$72,946	\$86,341
25	\$56,909	\$69,722	\$82,514
24	\$54,288	\$66,518	\$78,728
23	\$51,792	\$63,461	\$75,109
22	\$49,442	\$60,570	\$71,698
22	\$49,442	\$60,570	\$71,698
22	\$49,442	\$60,570	\$71,698
22	\$49,442	\$60,570	\$71,698
21	\$47,029	\$57,616	\$68,182
21	\$47,029	\$57,616	\$68,182
20	\$44,990	\$55,120	\$65,229
20	\$44,990	\$55,120	\$65,229
20	\$44,990	\$55,120	\$65,229
20	\$44,990	\$55,120	\$65,229
19	\$43,264	\$52,998	\$62,733
19	\$43,264	\$52,998	\$62,733
19	\$43,264	\$52,998	\$62,733
18	\$41,246	\$50,523	\$59,800
18	\$41,246	\$50,523	\$59,800
18	\$41,246	\$50,523	\$59,800
18	\$41,246	\$50,523	\$59,800
17	\$39,624	\$48,547	\$57,450
17	\$39,624	\$48,547	\$57,450
17	\$39,624	\$48,547	\$57,450
17	\$39,624	\$48,547	\$57,450
17	\$39,624	\$48,547	\$57,450
17	\$39,624	\$48,547	\$57,450
17	\$39,624	\$48,547	\$57,450
17	\$39,624	\$48,547	\$57,450
17	\$39,624	\$48,547	\$57,450
16	\$38,126	\$46,717	\$55,286



City of Independence

2025 Pay Plan



Hourly Pay Rates

Annual Pay Rates

Position	Grade	Pay Range			Grade	Pay Range		
		Minimum	Midpoint	Maximum		Minimum	Midpoint	Maximum
Community Service Officer	15	\$17.66	\$21.64	\$25.61	15	\$36,733	\$45,011	\$53,269
Clerk II	14	\$16.99	\$20.82	\$24.64	14	\$35,339	\$43,306	\$51,251
Court Clerk II	14	\$16.99	\$20.82	\$24.64	14	\$35,339	\$43,306	\$51,251
Maintenance II	14	\$16.99	\$20.82	\$24.64	14	\$35,339	\$43,306	\$51,251
Public Service Worker II	14	\$16.99	\$20.82	\$24.64	14	\$35,339	\$43,306	\$51,251
Water Plant Operator Trainee	14	\$16.99	\$20.82	\$24.64	14	\$35,339	\$43,306	\$51,251
Wastewater Plant Operator Trainee	14	\$16.99	\$20.82	\$24.64	14	\$35,339	\$43,306	\$51,251
Zookeeper II	14	\$16.99	\$20.82	\$24.64	14	\$35,339	\$43,306	\$51,251
Guest Services Coordinator II	14	\$16.99	\$20.82	\$24.64	14	\$35,339	\$43,306	\$51,251
Animal Control Officer	13	\$16.35	\$20.03	\$23.71	13	\$34,008	\$41,662	\$49,317
Dispatcher/Clerk I	13	\$16.35	\$20.03	\$23.71	13	\$34,008	\$41,662	\$49,317
Secretary	13	\$16.35	\$20.03	\$23.71	13	\$34,008	\$41,662	\$49,317
	12	\$15.71	\$19.25	\$22.78	12	\$32,677	\$40,040	\$47,382
Clerk I	11	\$15.09	\$18.49	\$21.88	11	\$31,387	\$38,459	\$45,510
Court Clerk I	11	\$15.09	\$18.49	\$21.88	11	\$31,387	\$38,459	\$45,510
Guest Services Coordinator I	11	\$15.09	\$18.49	\$21.88	11	\$31,387	\$38,459	\$45,510
Maintenance I	11	\$15.09	\$18.49	\$21.88	11	\$31,387	\$38,459	\$45,510
Public Service Worker I	11	\$15.09	\$18.49	\$21.88	11	\$31,387	\$38,459	\$45,510
Records Clerk I	11	\$15.09	\$18.49	\$21.88	11	\$31,387	\$38,459	\$45,510
Zookeeper I	11	\$15.09	\$18.49	\$21.88	11	\$31,387	\$38,459	\$45,510
	10	\$14.57	\$17.85	\$21.13	10	\$30,306	\$37,128	\$43,950
	9	\$14.16	\$17.35	\$20.53	9	\$29,453	\$36,088	\$42,702
Laborer	8	\$13.65	\$16.72	\$19.79	8	\$28,392	\$34,778	\$41,163
Office Worker	8	\$13.65	\$16.72	\$19.79	8	\$28,392	\$34,778	\$41,163
Fire/EMS (21-day duty cycle)								
Captain / MICT	18	\$19.83	\$24.29	\$28.75	18	\$57,745	\$70,732	\$83,720
FF II/MICT	15	\$17.66	\$21.64	\$25.61	15	\$51,426	\$63,016	\$74,576
FF I /MICT	14	\$16.99	\$20.82	\$24.64	14	\$49,475	\$60,628	\$71,752
Captain / EMT A	14	\$16.99	\$20.82	\$24.64	14	\$49,475	\$60,628	\$71,752
Captain / EMT	12	\$15.71	\$19.25	\$22.78	12	\$45,748	\$56,056	\$66,335
FF II/EMT A	11	\$15.09	\$18.49	\$21.88	11	\$43,942	\$53,843	\$63,715
FF I/EMT-A	10	\$14.57	\$17.85	\$21.13	10	\$42,428	\$51,979	\$61,531
FF II/EMT	9	\$14.16	\$17.35	\$20.53	9	\$41,234	\$50,523	\$59,783
FF I/EMT	8	\$13.65	\$16.72	\$19.79	8	\$39,749	\$48,689	\$57,628
Police (14-day duty cycle)								
Police Captain	23	\$24.90	\$30.51	\$36.11	23	\$51,792	\$63,461	\$75,109
Lead Detective	21	\$22.61	\$27.70	\$32.78	21	\$49,380	\$60,497	\$71,592
Police Sergeant	21	\$22.61	\$27.70	\$32.78	21	\$49,380	\$60,497	\$71,592
Police Detective	20	\$21.63	\$26.50	\$31.36	20	\$47,240	\$57,876	\$68,490
Police Officer II	19	\$20.80	\$25.48	\$30.16	19	\$45,427	\$55,648	\$65,869
Police Officer I	17	\$19.05	\$23.34	\$27.62	17	\$41,605	\$50,975	\$60,322



REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
January 9, 2025

Department Admin

Director Approval Kelly Passauer

AGENDA ITEM Consider adopting a resolution setting a public hearing for the adoption of a Neighborhood Revitalization Plan pursuant to K.S.A. 12-17,114 et seq., and providing notice thereof.

SUMMARY RECOMMENDATION Staff recommends the adoption of a resolution setting a public hearing for February 13, 2025, at 5:30 PM in the City Hall Commission Room, 120 North 6th Street, Independence, Kansas, to consider the adoption of a new Neighborhood Revitalization Plan (NRP). The proposed NRP will replace all existing plans and aims to enhance economic development, address blight, support historic preservation, and promote housing, commercial, and industrial improvements within the designated Neighborhood Revitalization Area (NRA).

BACKGROUND The Neighborhood Revitalization Plan (NRP) is an economic development tool authorized under K.S.A. 12-17,114 et seq. to encourage private investment through property tax rebates for qualifying improvements in designated revitalization areas.

Currently, there are eight separate Neighborhood Revitalization Plans in effect within the City, many with differing expiration dates and varying terms. The adoption of the proposed plan would consolidate these into a single, streamlined plan, providing consistency and clarity for applicants. The new plan also expands the scope to include additional neighborhoods within the City limits that were not previously covered, excluding areas within the floodplain.

The proposed plan places a strong emphasis on incentivizing a broad range of improvements, including:

- **Housing Improvements:** Recognizing the challenges of the City's aging housing stock, nearly 40% of which was constructed prior to 1939. The plan encourages new construction, infill development, and rehabilitation of older structures to address modernization needs and attract middle and higher-income residents.
- **Commercial and Industrial Development:** Stimulating economic growth by supporting renovations and new construction for businesses and industrial facilities. These improvements aim to attract investment, create jobs, and increase the City's tax base.

The plan also emphasizes historic preservation, particularly within the downtown historic district. Enhanced rebates are offered for properties on the Kansas Historical Register or those located within historic districts. These incentives aim to preserve the City's architectural heritage while promoting economic activity in the downtown area.

Montgomery County has a similar plan that applies to all unincorporated areas within the County. Expanding the City's plan to include more neighborhoods levels the playing field with

County development incentives. The rebate percentages under the proposed plan are similar to the County's, except for the increased rebates within the City for historic properties and districts, demonstrating the City's commitment to preservation and revitalization.

To administer the plan, Montgomery County will receive a 5% administrative fee based on the rebate amount, consistent with the County's practices for its own plan.

The proposed resolution sets the required public hearing and ensures compliance with statutory requirements, including public notice and notification to other taxing entities.

FINANCIAL INFORMATION The financial impact of adopting the resolution is minimal, limited to administrative costs for publishing public notices and delivering the resolution to other taxing entities.

The adoption of the updated Neighborhood Revitalization Plan may result in additional property tax rebates for qualifying improvements. However, these rebates are offset by increased property valuations after the rebate period, higher tax revenues from improvements, and economic growth spurred by revitalization projects. The plan's broad scope, covering housing, commercial, and industrial projects, is expected to attract significant investment and support long-term growth across multiple sectors.

SUGGESTED MOTION I move to adopt the resolution setting a public hearing for February 13, 2025, at 5:30 PM in the City Hall Commission Room, 120 North 6th Street, Independence, Kansas, to consider the adoption of a Neighborhood Revitalization Plan pursuant to K.S.A. 12-17,114 et seq., and providing notice thereof.

SUPPORTING DOCUMENTS

1. Resolution 2025-009 - Resolution Setting NRP Hearing
2. 02132025 - Adopt NRP
3. 02132025 - NRP Interlocal Agreement
4. Proposed 2025 NRP
5. Final Assessed Valuation

RESOLUTION NO. 2025-009

A RESOLUTION SETTING A PUBLIC HEARING FOR THE ADOPTION OF A NEIGHBORHOOD REVITALIZATION PLAN PURSUANT TO K.S.A. 12-17,114 ET SEQ., AND PROVIDING NOTICE THEREOF.

WHEREAS, the City of Independence, Kansas, may pursuant to K.S.A. 12-17,114 et seq., adopt a plan to assist in the rehabilitation, conservation, or redevelopment of certain designated structures and areas within the City of Independence, Kansas, which meet the conditions provided in said law; and

WHEREAS, the City of Independence, Kansas, seeks to exercise the authority provided in K.S.A. 12-17,114 et seq., in order to rehabilitate, conserve, or redevelop designated areas within the City; and

WHEREAS, upon adoption, the proposed Neighborhood Revitalization Plan will replace all existing Neighborhood Revitalization Plans currently in effect.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the City of Independence, Kansas, as follows:

NOTICE

The City Commission will hold a public hearing to consider the adoption of a Neighborhood Revitalization Plan pursuant to K.S.A. 12-17,114 et seq., on **February 13, 2025**, at **5:30 PM** in the City Hall Commission Room, 120 North 6th Street, Independence, Kansas 67301.

The proposed Neighborhood Revitalization Plan and a description of the boundaries of the proposed Neighborhood Revitalization Area are available for inspection during regular business hours at the Office of the City Clerk, City Hall, 120 North 6th Street, Independence, Kansas 67301.

At the conclusion of the hearing, the City Commission will consider findings necessary for the adoption of the proposed Neighborhood Revitalization Plan and the establishment of the Neighborhood Revitalization Area, all as provided for in K.S.A. 12-17,114 et seq.

BE IT FURTHER RESOLVED, that the City Clerk shall deliver a copy of this resolution to all other taxing entities within Montgomery County, Kansas.

BE IT FURTHER RESOLVED, that the City Clerk shall cause this resolution to be published in the official city newspaper once each week for two consecutive weeks prior to the public hearing.

ADOPTED AND APPROVED by the Governing Body of the City of Independence, Kansas, on this 9th day of January, 2025.

City of Independence, Kansas

Mayor

ATTEST:

David Schwenker, City Clerk

ORDINANCE NO. 2025-__

AN ORDINANCE ADOPTING A NEIGHBORHOOD REVITALIZATION PLAN AND DESIGNATING A NEIGHBORHOOD REVITALIZATION AREA, PURSUANT TO K.S.A. 12-17,114 ET SEQ., AND REPLACING ALL EXISTING NEIGHBORHOOD REVITALIZATION PLANS.

WHEREAS, the City of Independence, Kansas, pursuant to the authority provided in K.S.A. 12-17,114 et seq., desires to adopt a Neighborhood Revitalization Plan to assist in the rehabilitation, conservation, or redevelopment of certain designated areas and structures within the City; and

WHEREAS, after proper public notice, the City Commission held a public hearing on February 13, 2025, to hear and consider public comment on the proposed Neighborhood Revitalization Plan; and

WHEREAS, the City Commission has reviewed the proposed Neighborhood Revitalization Plan and determined that the area identified therein exhibits conditions detrimental to the public health, safety, and welfare, including but not limited to, deteriorating housing stock, declining population, and the need for economic revitalization; and

WHEREAS, the City Commission finds that the proposed Neighborhood Revitalization Plan is necessary to promote economic growth, improve housing opportunities, and address conditions of blight within the designated area.

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

SECTION 1.

The City Commission does hereby adopt the Neighborhood Revitalization Plan, attached hereto as **Exhibit A**, and incorporated by reference as if fully set forth herein. Upon adoption, this plan shall replace all existing Neighborhood Revitalization Plans in effect within the City of Independence.

SECTION 2.

Any applications for tax rebates submitted under a prior Neighborhood Revitalization Plan and approved before the date of adoption of the new Plan shall remain eligible for the duration of their original rebate period, as outlined in the terms of the prior Plan. However, any new applications submitted on or after February 13, 2025, shall be processed exclusively under the provisions of the new Plan.

SECTION 3.

The City Commission hereby designates the real property described in **Attachment A** of the Neighborhood Revitalization Plan as the Neighborhood Revitalization Area, pursuant to the findings required by K.S.A. 12-17,115(c).

The Commission finds that:

1. A substantial portion of the area exhibits conditions detrimental to the public health, safety, and welfare due to aging structures, inadequate housing options, and economic decline.
2. The area is suitable for rehabilitation, redevelopment, or conservation to promote economic growth and community well-being.
3. The revitalization of the designated area will benefit the public interest by enhancing property values and fostering sustainable growth.

SECTION 4.

This ordinance shall be in full force and effect upon publication in the official city newspaper.

PASSED AND APPROVED by the Governing Body of the City of Independence, Kansas, on this 13th day of February, 2025.

City of Independence, Kansas

_____, Mayor

ATTEST:

David Schwenker, City Clerk

NEIGHBORHOOD REVITALIZATION PLAN INTERLOCAL AGREEMENT

This Interlocal Agreement (hereinafter referred to as “Agreement”) is entered into on February 13, 2025, by and between the City of Independence, Kansas (hereinafter referred to as “City”), the Board of County Commissioners of Montgomery County, Kansas (hereinafter referred to as “County”), Unified School District No. 446 (hereinafter referred to as “USD 446”), and Independence Community College (hereinafter referred to as “ICC”).

RECITALS

WHEREAS, K.S.A. 12-2904 allows public agencies to enter into interlocal agreements to jointly perform certain functions, including economic development; and

WHEREAS, K.S.A. 12-17,114 et seq. provides a program for neighborhood revitalization and further allows for the use of interlocal agreements between municipalities to enhance neighborhood revitalization efforts; and

WHEREAS, it is the desire and intent of the parties hereto to provide the maximum economic development incentive as provided for in K.S.A. 12-17,119 by acting jointly.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the parties agree as follows:

SECTION 1. ADOPTION OF THE PLAN

The parties agree to adopt the Neighborhood Revitalization Plan (hereinafter referred to as “Plan”) as contained in **Exhibit A**, attached hereto and incorporated by reference as if fully set forth herein. The parties further agree that the Plan, as adopted, will replace all existing Neighborhood Revitalization Plans in effect within the City of Independence. The Plan shall not be amended without approval of the parties, except as may be necessary to comply with applicable state law or regulations.

SECTION 2. EXISTING APPLICATIONS

Any applications for tax rebates submitted under a prior Neighborhood Revitalization Plan and approved before the date of adoption of the new Plan shall remain eligible for the duration of their original rebate period, as outlined in the terms of the prior Plan. However, any new applications submitted on or after February 13, 2025, shall be processed exclusively under the provisions of the new Plan.

SECTION 3. ADMINISTRATION

The parties agree that the County shall administer the Plan on behalf of all signatory parties. The County shall create a Neighborhood Revitalization Fund pursuant to K.S.A. 12-17,118 for the purpose of financing redevelopment and providing tax rebates. Any increment in property taxes received by the City, the County, ICC, and USD 446 resulting from qualified improvements to properties pursuant to the Plan shall be credited to the County's Neighborhood Revitalization Fund.

SECTION 4. TERM AND REVIEW

This Agreement shall remain in effect until December 31, 2035. The parties agree to undertake a review of the Plan on or before December 31, 2035, to determine any needed modifications to the Plan and participation in a new interlocal agreement. Any party may terminate its participation in this Agreement by providing thirty (30) days' advance written notice to the other parties. Applications for tax rebates submitted prior to termination, if approved, shall remain eligible for the duration of the rebate period.

SECTION 5. PROPERTY ACQUISITION

The parties agree that no property will be acquired pursuant to this Agreement. This Agreement provides a mechanism to create and implement the Plan, which is authorized and controlled by the provisions of K.S.A. 12-17,114 et seq.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first above written.

**Board of County Commissioners
Of Montgomery County, Kansas**

ATTEST:

_____, Chair

County Clerk

(seal)

STATE OF KANSAS)
) SS:
MONTGOMERY COUNTY)

BE IT REMEMBERED that this _____ day of _____, 2025, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came _____, Chair of Board of County Commissioners of Montgomery County, Kansas, and _____, County Clerk of Montgomery County, Kansas, 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.

Notary Public

My commission expires:

City of Independence, Kansas

ATTEST:

_____, Mayor

David Schwenker
City Clerk

(seal)

STATE OF KANSAS)

) SS:

MONTGOMERY COUNTY)

BE IT REMEMBERED that this _____ day of _____, 2025, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came _____, Mayor of the City of Independence, and David Schwenker, City Clerk for the City of Independence, 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.

Notary Public

My commission expires:

Board of Education USD 446

ATTEST:

_____, President

Toni Jabben
Board Clerk

(seal)

STATE OF KANSAS)

) SS:

MONTGOMERY COUNTY)

BE IT REMEMBERED that this _____ day of _____, 2025, before me,
the undersigned, a Notary Public in and for the County and State aforesaid, came _____,
President of Board of Education, USD 446,

and Toni Jabben, Board Clerk, 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.

Notary Public

My commission expires:

Board of Trustees
Independence Community College

ATTEST:

_____, Chair

Board Clerk

(seal)

STATE OF KANSAS)
) SS:
MONTGOMERY COUNTY)

BE IT REMEMBERED that this _____ day of _____, 2025, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came _____, Chair of Independence Community College, and _____, Board Clerk for Independence Community College, 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.

Notary Public

My commission expires:

APPROVAL OF KANSAS ATTORNEY GENERAL

The above and forgoing Interlocal Agreement is hereby approved by the Kansas Attorney General.

Office

of the Kansas Attorney General

Date

Neighborhood Revitalization Plan and Development Incentive (2025 – 2035)

City of Independence, Kansas

Purpose

The Neighborhood Revitalization Plan (NRP) is established under the authority of K.S.A. 12-17,114 et seq. to promote revitalization and development within the City of Independence, Kansas. The plan aims to stimulate new construction, rehabilitation, conservation, or redevelopment in designated areas to enhance property values, address blight, and improve the community's economic vitality. The program protects public health, safety, and welfare while providing property tax rebates for qualifying improvements, in cooperation with participating taxing entities.

Boundaries of the Neighborhood Revitalization Area (NRA)

The Neighborhood Revitalization Area (NRA) includes all properties currently within the City limits, as well as any additional properties that are annexed into the City during the duration of this plan, except for properties located within the 100-year floodplain. The maps provided in Attachment A reflect the current City limits and floodplain; however, the boundaries of the City limits and the 100-year floodplain may change during the duration of the plan. The City limits and 100-year floodplain in effect at the time of the project application will determine eligibility. For parcels that are partially within the floodplain, only the portions outside the 100-year floodplain are eligible for participation, provided all improvements comply with City ordinances and FEMA requirements.

Zoning Classification and Land Use

Zoning classification maps are included in Attachment A, and the existing and future land use maps are included in Attachment B. It is important to note that zoning classifications and land use designations may change during the duration of the plan. Any such changes will be reflected in accordance with updates to the City's zoning map and regulations, Comprehensive Plan, or other applicable planning documents. Properties will be subject to the zoning and land use designations in effect at the time of the project application.

Existing Conditions in the Neighborhood Revitalization Area (NRA)

The Neighborhood Revitalization Area (NRA) reflects a community actively addressing challenges and pursuing revitalization. Independence serves as a regional hub for commerce and employment, with a diverse economy reliant on retail, manufacturing, and education sectors. However, the City has experienced a gradual population decline over recent decades, with the current population at approximately 8,500. This trend highlights the critical need for revitalization efforts to attract new residents, retain existing ones, and enhance the community's economic vitality.

Nearly 40% of the housing stock in Independence was constructed prior to 1939, presenting significant challenges related to aging structures and the need for modernization. Additionally, there is a gap in housing availability, both for ownership and rentals, for households with incomes of \$50,000 and above. This shortage highlights a need to attract middle and higher-income residents and provide diverse housing options to meet demand.

The City faces a significant housing shortage, particularly in affordable and quality options. Currently, 28 houses have been recently condemned or are in the process of being condemned.

Neighborhood Revitalization Plan and Development Incentive (2025 – 2035)

City of Independence, Kansas

Condemned houses that are not repaired or removed by property owners are planned to be demolished in 2025. Additionally, 300-400 vacant homes have been identified, with a focus on 45 properties along or near high-traffic corridors (e.g., Main Street, Penn Avenue, Laurel Street, 10th Street, and Washington Street) under the newly adopted maintenance code. Exterior inspections have been completed, and notices are being issued.

In 2024, the City purchased over 100 acres of undeveloped property with plans for flood mitigation and housing development near local schools. This initiative is part of a broader strategy to increase housing stock and attract new families. Other efforts to enhance housing opportunities in 2024 include modifying the sewer cost-share grant program to include bona fide developers rehabilitating existing housing, and approving 25 applications under the Neighborhood Exterior Grant Program, contributing \$93,604.80 in grants for \$282,517.22 worth of exterior home improvements.

Revitalization is also evident in the downtown area through key projects such as streetscape improvements and upper-story housing developments. These include:

1. Trident Project: Six buildings with 20 apartments, with the first project at 106-108 North 8th Street moving forward after bid approvals.
2. Morrison Project: One building with 11 apartments, awaiting the second phase of historical tax credits before construction begins.

The Housing Authority and Community Mission for Improved Housing are rehabilitating a dilapidated house on a major corridor purchased at a tax sale, and the Land Bank is actively accepting donations and purchasing properties to rehabilitate or market for redevelopment.

The City is also improving infrastructure and amenities to support revitalization efforts. Planned municipal improvements include sidewalk enhancements, utility upgrades, and park and recreational facility improvements. Additionally, the Housing Steering Committee is working to identify proposed Rural Housing Incentive Districts (RHIDs) in older neighborhoods, focusing on areas adjoining the highway corridor and the historic downtown.

To guide these efforts, the City adopted a new Comprehensive Plan in 2024, which establishes a strategic vision for the community's future. The plan addresses a wide range of goals, including economic development, housing revitalization, infrastructure improvements, and quality-of-life enhancements. While the plan recognizes the growing need for senior housing and services as part of a broader housing strategy, it also emphasizes attracting new residents, addressing housing gaps for middle and higher-income households, and fostering economic opportunities for all age groups and demographics.

Valuation of Real Property

The valuation of real property in the NRA includes both appraised and assessed values:

Appraised valuation represents a fair market estimate of a property's worth. The approximate 2024 appraised valuation of the real estate in the Neighborhood Revitalization Area is:

Neighborhood Revitalization Plan and Development Incentive (2025 – 2035)
City of Independence, Kansas

Land	\$ 61,136,300
Buildings	<u>\$470,838,440</u>
Total Appraised Value	\$531,974,740

Assessed valuation represents the amount of a property's worth that is taxed. The approximate 2024 assessed valuation of the real estate within the Neighborhood Revitalization Area is:

Land	\$ 7,693,570
Buildings	<u>\$53,521,520</u>
Total Assessed Value	\$61,215,090

Legal Descriptions of Properties within the Neighborhood Revitalization Area (NRA)

Legal descriptions of all properties included in the NRA are maintained and available for public review at the Montgomery County Appraiser's Office. In addition to the floodplain map included in this plan, property owners can use FEMA's Flood Map Service Center (<https://msc.fema.gov>) to verify their property's location relative to the 100-year floodplain. Additional resources, such as the City Manager's Office, Montgomery County Planning and Zoning Office, or consultation with a licensed surveyor, can provide further assistance.

Owners of Record within the Neighborhood Revitalization Area (NRA)

The owner of record for each parcel of land is listed with the property address in the Montgomery County Appraiser's Office.

Capital Improvements Planned for the Neighborhood Revitalization Area (NRA)

Future municipal improvements that may be considered within the Neighborhood Revitalization Area include sidewalk enhancements to improve pedestrian accessibility and safety, the removal of dangerous and unsafe structures to address blight and enhance public safety, and handicap accessibility upgrades to ensure compliance with ADA standards and promote inclusivity. Additional considerations include street resurfacing projects, utility improvements such as upgrades to water and sewer systems, and improvements to park and recreational facilities to enhance community amenities and quality of life. These potential improvements are subject to future budgetary considerations, grant availability, and prioritization by the City of Independence, reflecting the City's commitment to maintaining and enhancing public infrastructure and amenities in alignment with the goals of this plan.

Eligibility Criteria

1. Investment Requirements:

- Only improvements that demonstrably increase the appraised value of the property are considered eligible for meeting the minimum investment requirements. Aesthetic upgrades, minor repairs, or other changes that do not result in an increase in appraised value will not qualify.
 - Each project on residentially zoned properties must require a minimum investment of \$5,000.

Neighborhood Revitalization Plan and Development Incentive (2025 – 2035)
City of Independence, Kansas

- Each project not on residentially zoned properties must require a minimum investment of \$10,000.
2. **Construction Timeframe:** Improvements must commence on or after January 1, 2025, and be completed within two years from the date of application approval. Applicants may request a one-time extension of up to 12 months, subject to approval by the City Commission. The request must be submitted in writing at least 30 days before the original deadline and include a detailed justification for the delay. The rebates will be in effect only after the completion of the construction and will not include any year(s) of incomplete construction.
 3. **Tax Compliance:**
 - Any taxpayer that is delinquent on any real estate or personal property tax payment, or special assessment, on any property located in Montgomery County, Kansas, shall not be eligible to participate in the plan.
 - If a taxpayer is eligible to participate in the plan and thereafter becomes delinquent in the payment of such taxes or special assessments, the taxpayer shall not be eligible for any tax rebate under the plan during the year of delinquency. Any tax rebate lost due to such delinquency shall not be retroactively restored. The rebate schedule will not be extended due to such delinquency.
 - If a taxpayer becomes delinquent a second time under the same application, they shall permanently forgo eligibility for any future rebates related to that specific application. However, curing the delinquency does not preclude the taxpayer from participating in the program for future qualifying projects. In such cases, the taxpayer may submit a new application for a different project and be considered for rebates under the terms of the plan.
 - Escrow payments causing delinquency will not be held against the revitalization requirements.
 4. **Compliance with Codes and Regulations:** New and existing property must conform to all other codes, rules, and regulations in effect at the time the improvements are made and for the length of time of the rebate, or the rebate may be terminated.
 5. **Building Permit Requirement:** Any improvements that commence without first obtaining the required City building permit or other applicable permits will not be eligible for rebates under this program. Additionally, improvements that do not require a permit are not eligible.
 6. **Application Process:** Applications must be filed by the deeded owner of the property listed on the application with the City Clerk with a \$100 application fee made payable to the Montgomery County Appraiser within 60 days following issuance of a City building permit, or if a building permit is not required within 60 days of issuance of any other required permit by the City.
 7. **Non-Transferability and Assignment:**
 - Rebates are limited to the applicant only and are not transferrable or assignable to subsequent property owners. Upon the sale, transfer, or other conveyance of any property otherwise eligible for participation in the program, the property shall become ineligible for any additional or further rebates. Rebates will not be prorated for the year during which the sale, transfer, or other conveyance occurred.

Neighborhood Revitalization Plan and Development Incentive (2025 – 2035)
City of Independence, Kansas

- However, if the new property owner makes additional improvements that qualify as a new project, the new property owner may apply for rebates under a new application.
 - **Bona Fide Developer Exception:**
 - An applicant who is a bona fide developer who caused the eligible improvements to be made shall be entitled to transfer or assign their eligibility to participate in the program to the first buyer, transferee, or grantee of such property. Upon a subsequent sale, transfer, or conveyance of such property, the property shall thereafter become ineligible for any additional or further rebates, unless new qualifying improvements are made under a new application.
 - 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.
 - **Spousal Exception:**
 - If a property is jointly owned by spouses, and one spouse passes away resulting in the surviving spouse becoming the sole owner, the property shall remain eligible for participation in the Neighborhood Revitalization Program. The removal of the deceased spouse's name from the property deed shall not affect eligibility for any rebates under the program. The surviving spouse shall retain the same eligibility as if the property had remained jointly owned.
 - In the case of divorce, if ownership of the property is transferred to one of the spouses, the property shall remain eligible for participation in the Neighborhood Revitalization Program. The transfer of ownership as part of a divorce settlement shall not disqualify the property from receiving rebates under this program, and the spouse receiving the property shall retain the same eligibility as before the divorce.
8. **One Application per Project:** Properties eligible for tax incentives and any existing tax abatement program may submit only one application per project.
9. **Rebate Value:** The rebate will be based only upon the increased appraised value attributed to the eligible improvement. For purposes of calculating the increase in the appraised value, a base value shall first be established by calculating the average historical appraised value of the parcel for the three (3) tax years immediately preceding the application for rebate. The increase in the appraised value shall be the difference between the base value established and the appraised value after the eligible improvement is constructed.
- **Exception:** Unique situations will be reviewed by the County Appraiser in consultation with the City to establish base value.

Neighborhood Revitalization Plan and Development Incentive (2025 – 2035)
City of Independence, Kansas

Property Eligible for Tax Rebate

1. Residential, Commercial, Industrial, Agricultural, Office and Professional Property:

- For new construction or rehabilitation, alterations, and additions to residential, commercial, industrial, agricultural, office and professional properties, including accessory structures, provided that such structures are permanent, the rebate shall be up to 100% on the increment of increased appraised value for years 1-5, and 50% on the increment of increased appraised value for years 6-10.
- Eligible improvements also include driveways and sidewalks that increase the appraised value.
- Eligible properties can be located anywhere in the NRA, subject to specific criteria.
- **"Structure" Definition:** For the purposes of this plan, "structure" means any building, wall, or other structure, including the building and improvements to existing structures and fixtures permanently assimilated to the real estate.
- **Exceptions:** The following items are not eligible for rebates under this plan:
 - Non-real estate items
 - Sprinkling systems
 - Fences
 - Landscaping
 - Garden-type structures
 - Hot tubs
 - Above-ground swimming pools
 - Irrigation wells and equipment (both agricultural and residential)
- Properties exempt from property taxes are not eligible.

2. Historical Property or Historical Districts:

- For rehabilitation of buildings on the Kansas Historical Register or contributing buildings within a district on the Kansas Historical Register, the rebate shall be up to 100% on the increment of increased appraised value for years 1-10.
- For new construction or rehabilitation of non-contributing buildings within a district on the Kansas Historical Register, the rebate shall be up to 100% on the increment of increased appraised value for years 1-5, and 75% on the increment of increased appraised value for years 6-10.
- A Certificate of Appropriateness issued by the Independence Historic Preservation & Resource Commission must be secured before construction begins. Applications without this certificate will not be considered.
- This category applies to the primary building only and does not include any accessory structures, driveways, or sidewalks.
- Properties exempt from property taxes are not eligible.

Neighborhood Revitalization Plan and Development Incentive (2025 – 2035)
City of Independence, Kansas

Tax Rebate Schedule

Category	Expires	Years 1-5	Years 6-10	Notes
Rehabilitation of buildings on the Kansas Historical Register or contributing structures within a district on the Kansas Historical Register	12/31/2035	Up to 100%	Up to 100%	Listing on the Kansas Historical Register must have occurred before a certificate of occupancy is issued, including status as a contributor. Must receive a Certificate of Appropriateness from the Independence Historic Preservation & Resource Commission before construction starts. This category applies to the primary building only and does not include any accessory structures, driveways, or sidewalks.
New construction or rehabilitation of non-contributing buildings within a district listed on the Kansas Historical Register	12/31/2035	Up to 100%	Up to 75%	Must receive a Certificate of Appropriateness from the Independence Historic Preservation & Resource Commission before construction starts. This category applies to the primary building only and does not include any accessory structures, driveways, or sidewalks.
All other eligible residential, commercial, industrial, agricultural, office, and professional properties, including permanent accessory structures, driveways, and sidewalks	12/31/2035	Up to 100%	Up to 50%	The following items are not eligible for rebates under this plan: non-real estate items, sprinkling systems, fences, landscaping, garden-type structures, hot tubs, above-ground swimming pools, and irrigation wells and equipment (both agricultural and residential).

- **Additional Information:**

- All properties within the City limits are eligible except areas that lie within the 100-year floodplain. Parcels located partially within the 100-year floodplain may be eligible for participation, but only for improvements made on the portion of the property outside the floodplain. All such improvements must comply with applicable City ordinances and FEMA floodplain management regulations to ensure eligibility.
- A 5% fee will be retained by Montgomery County to cover administrative costs.

Neighborhood Revitalization Plan and Development Incentive (2025 – 2035)

City of Independence, Kansas

Application and Administrative Procedure

1. **Initial Application:** Complete the Neighborhood Revitalization Plan application and submit it to the City Clerk with a non-refundable \$100 fee made payable to the Montgomery County Appraiser. The Building Official will monitor the project to ensure that all applicable City codes are met.
2. **Certification of Construction Completion:** After completion, provide receipts and an itemized statement of costs for verification to the City Clerk who will forward them to the Montgomery County Appraiser along with a Certificate of Occupancy or Completion from the Building Inspector.
3. **Approval Process:** Upon successful verification, Montgomery County will process the rebate within 30 days following the property tax distribution. The tax rebate, less a 5% administrative fee based on the rebate amount, will be made to the property owner within a thirty (30) day period following the date of tax distribution by Montgomery County. The administrative fee will be retained by Montgomery County.

Administration and Participating Public Agencies

The plan is a cooperative undertaking among the City of Independence, Independence Community College, Unified School District No. 446, and Montgomery County. Montgomery County is responsible for administering the plan. The parties are not acquiring any property pursuant to this agreement.

Attachment A

Boundaries of Neighborhood Revitalization Area (NRA), including Zoning and Floodplain

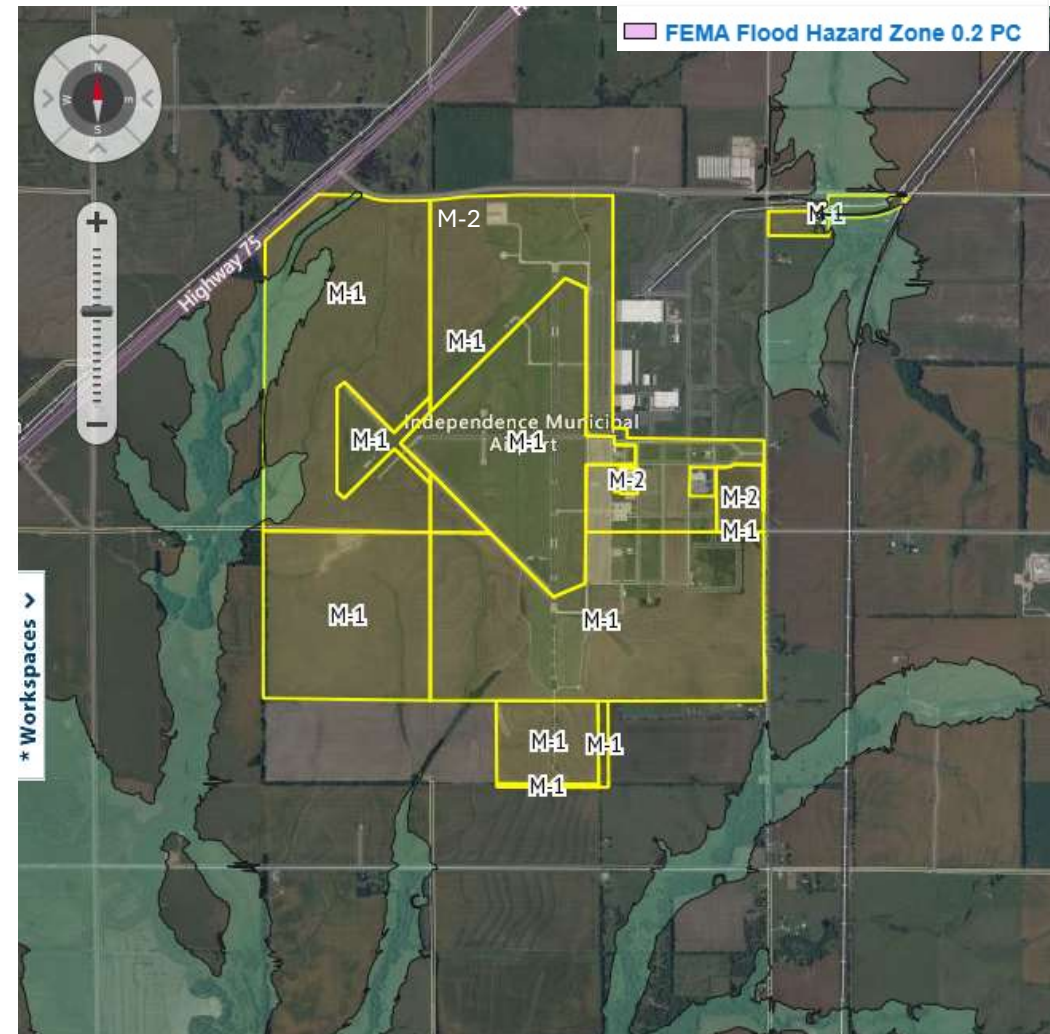
The Neighborhood Revitalization Area (NRA) includes all properties currently within the City limits and any additional properties that are annexed into the City during the duration of this plan, except for properties located within the 100-year floodplain.

The maps provided reflect the current City limits, 100-year floodplain, and zoning classifications; however, the boundaries of the City limits, the 100-year floodplain, and the zoning classifications may change during the duration of the plan.

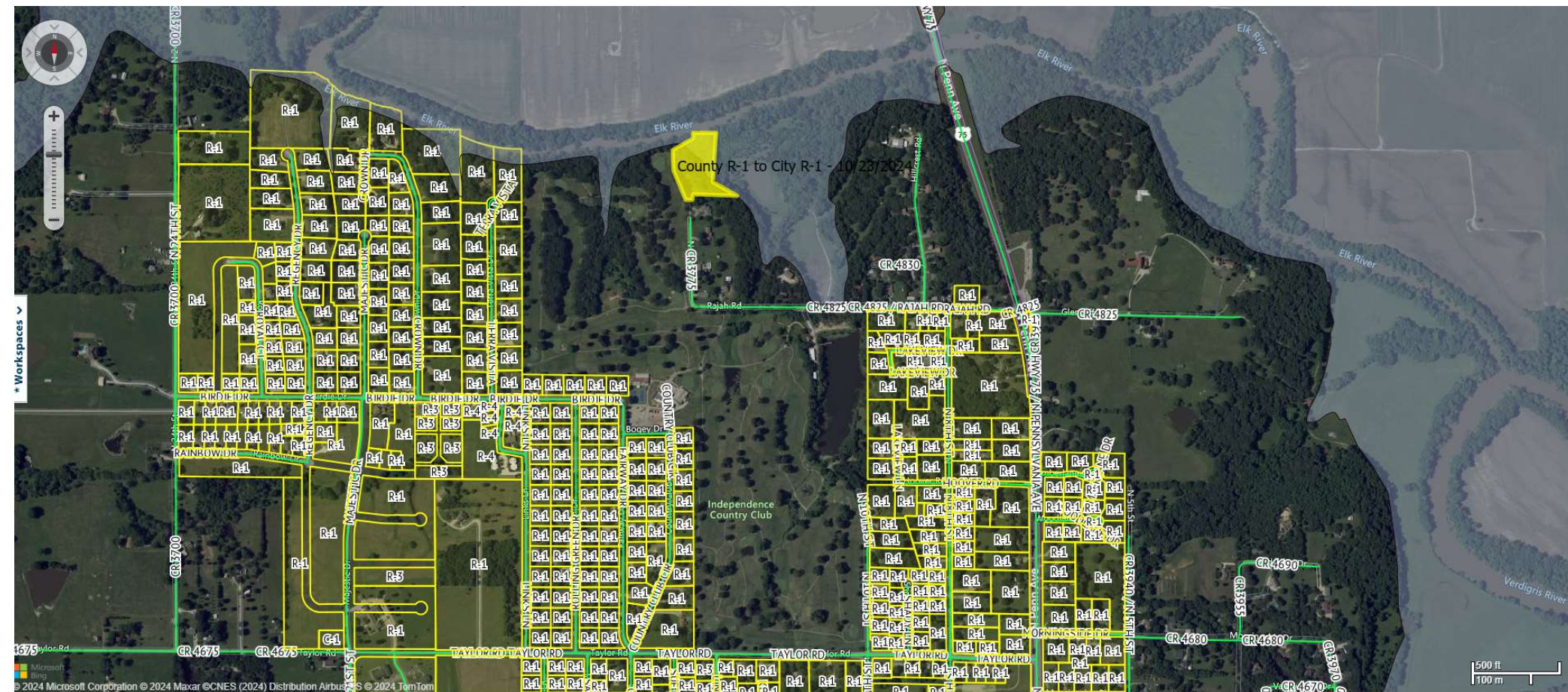
The City limits and 100-year floodplain in effect at the time of the project application will determine eligibility. For parcels that are partially within the floodplain, only the portions outside the 100-year floodplain are eligible for participation, provided all improvements comply with City ordinances and FEMA requirements.

Any zoning classification changes will be reflected following updates to the City's zoning map and regulations. Properties will be subject to the zoning designations in effect at the time of the project application.

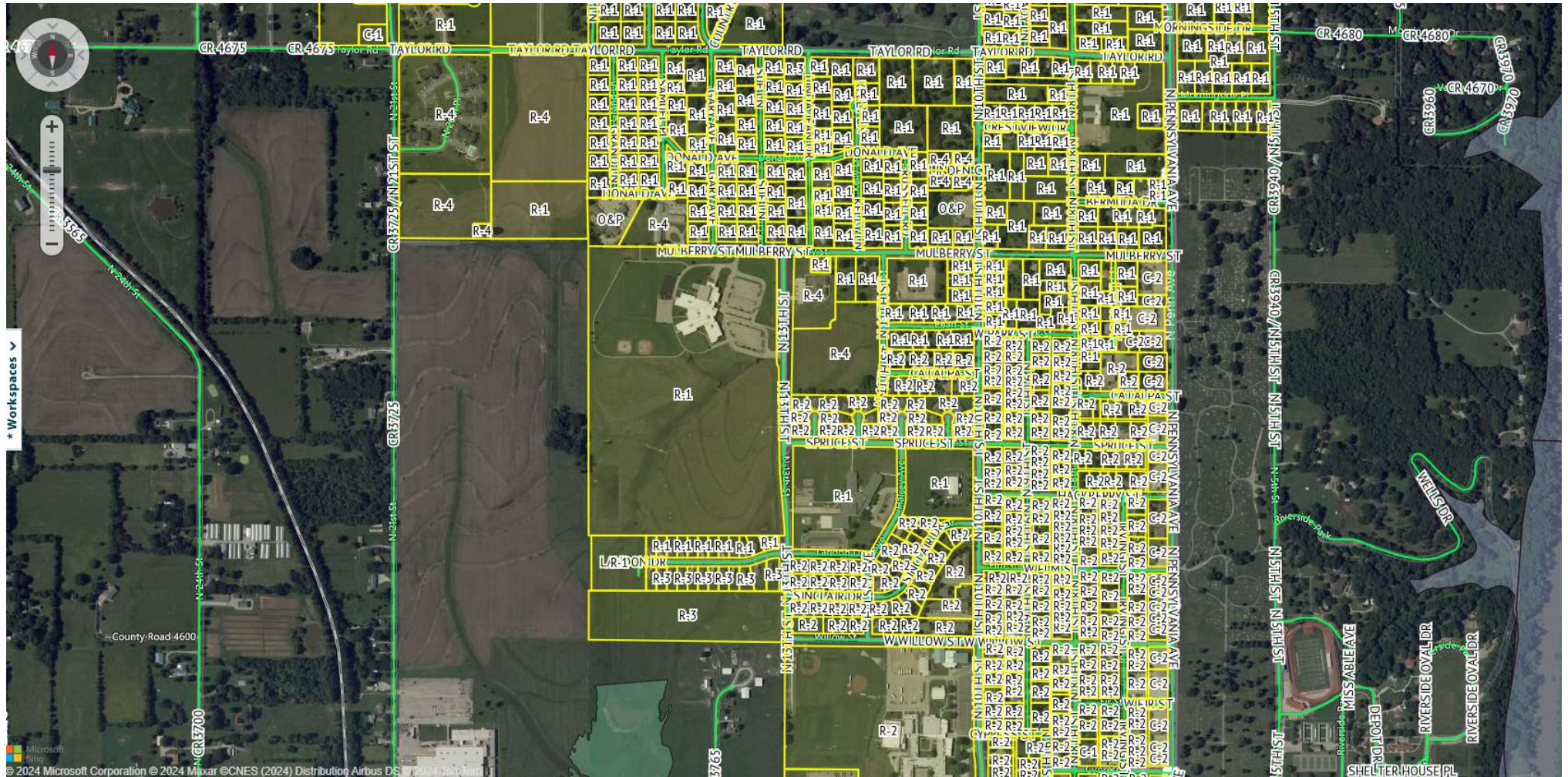
 FEMA Flood Hazard Zone AE 2018
 FEMA Flood Hazard Area A 2018
 FEMA Flood Hazard Zone 0.2 PC



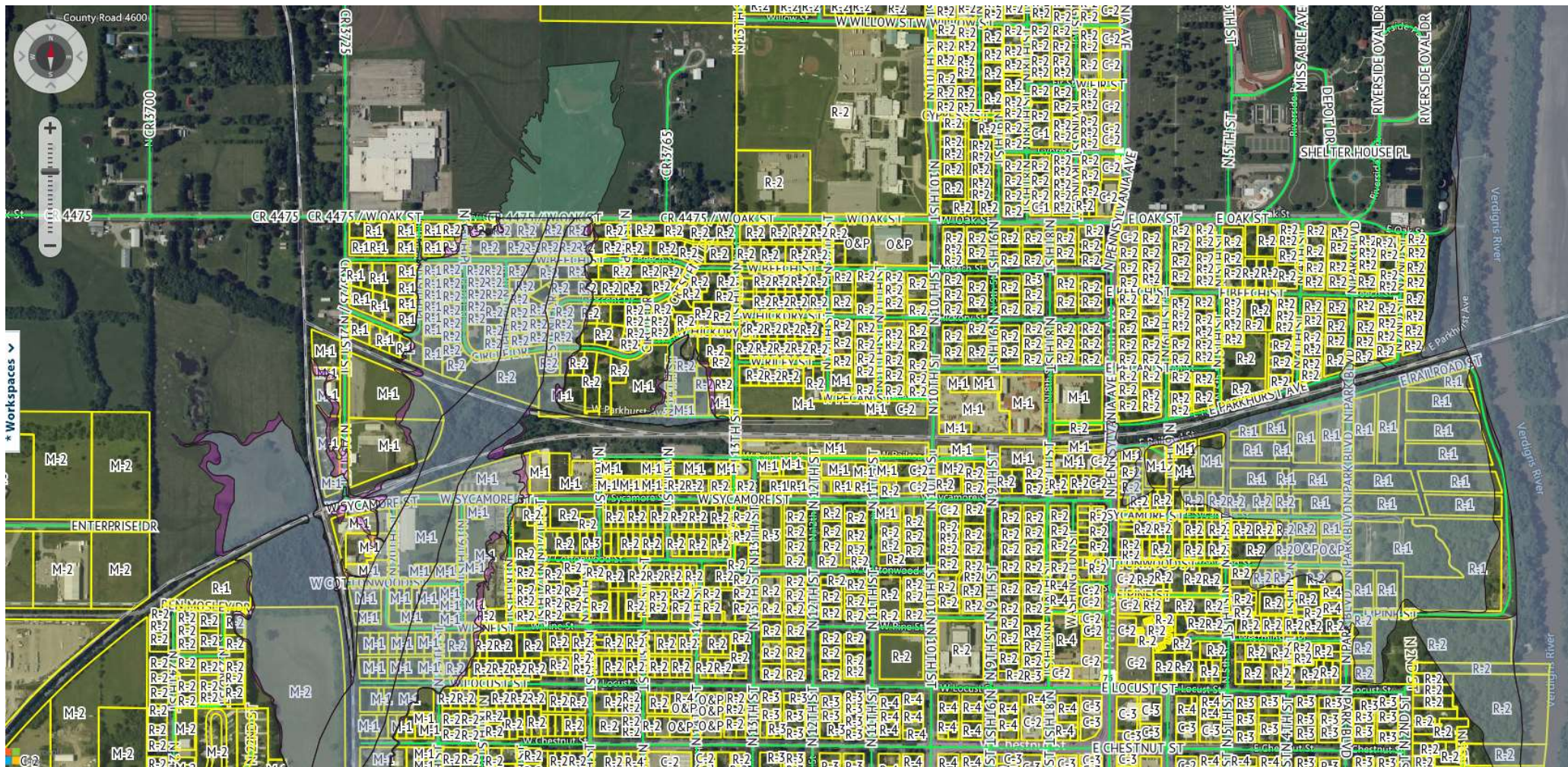
North of Taylor Road



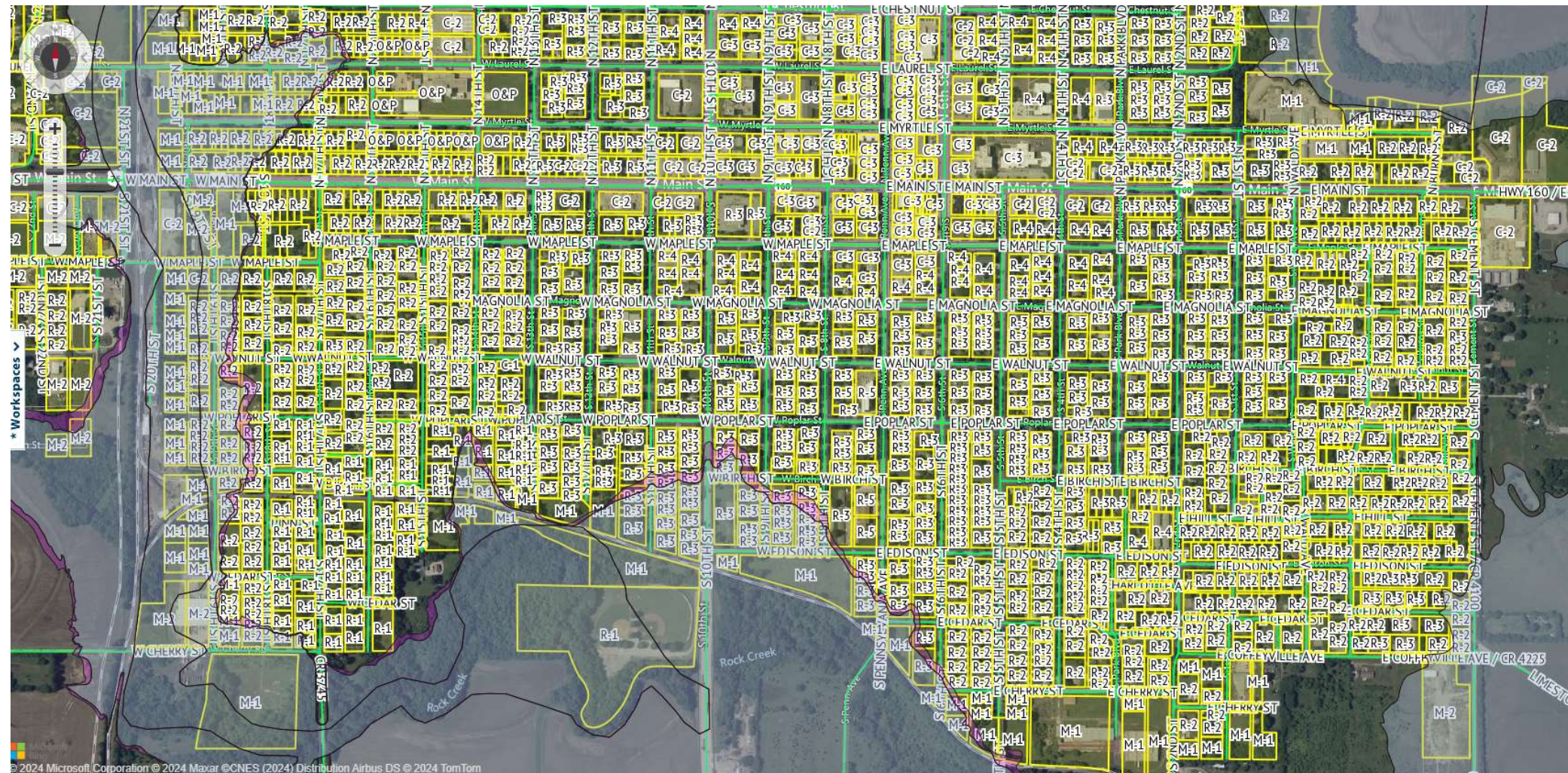
Taylor Road to Willow Street



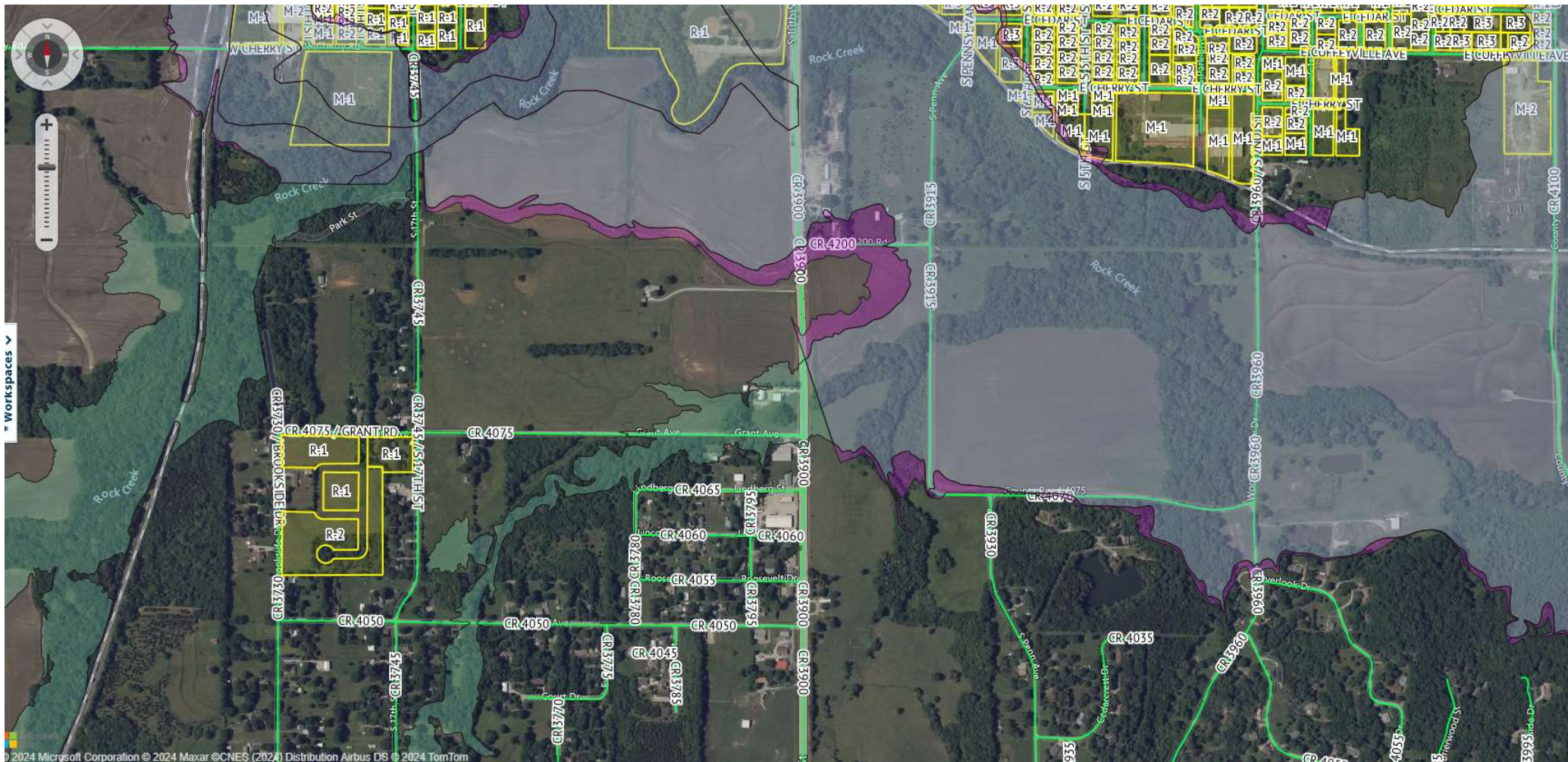
Willow Street to Chestnut Street (East City Limits)



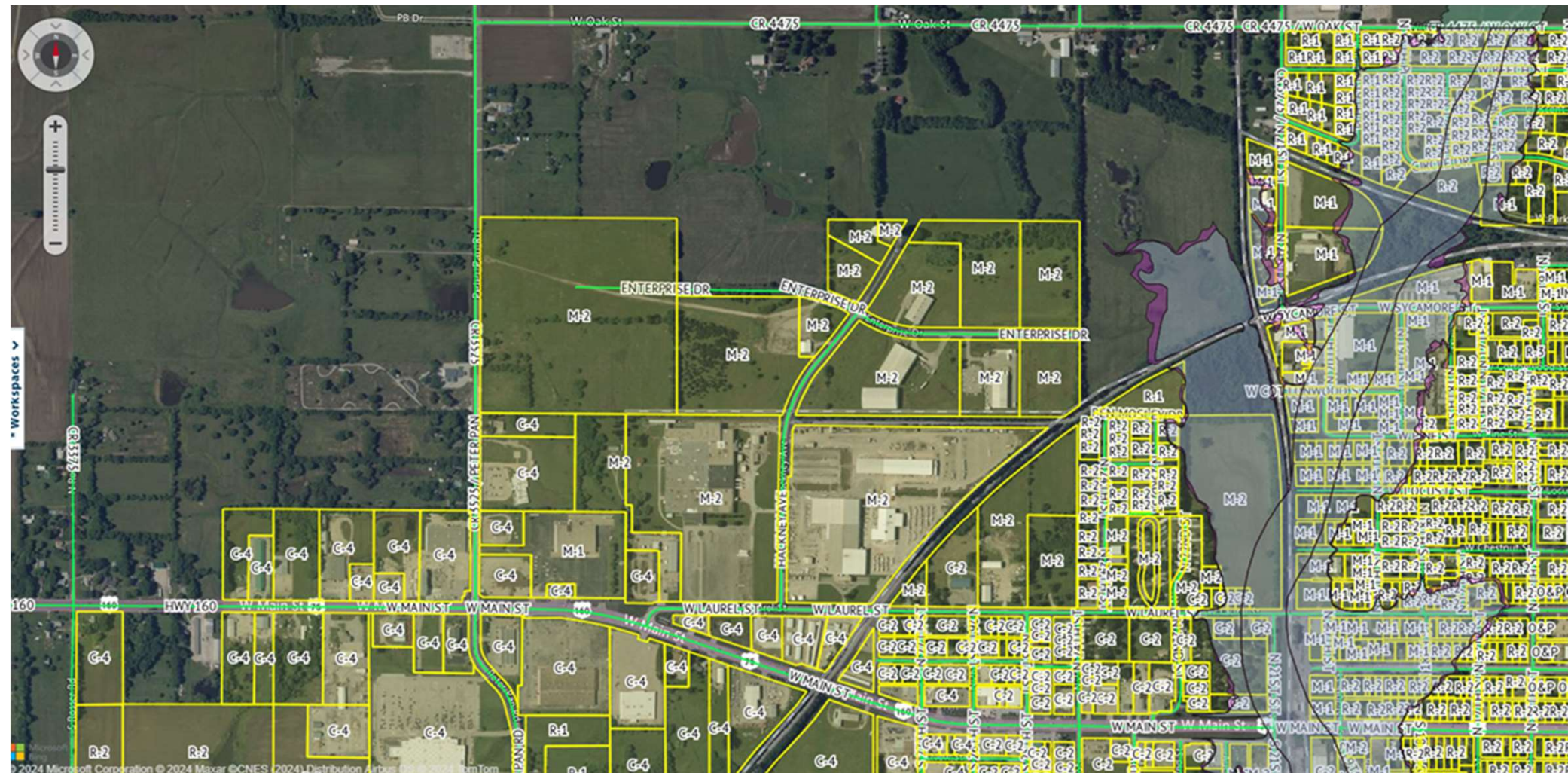
Chestnut Street to South City Limits (East City Limits)



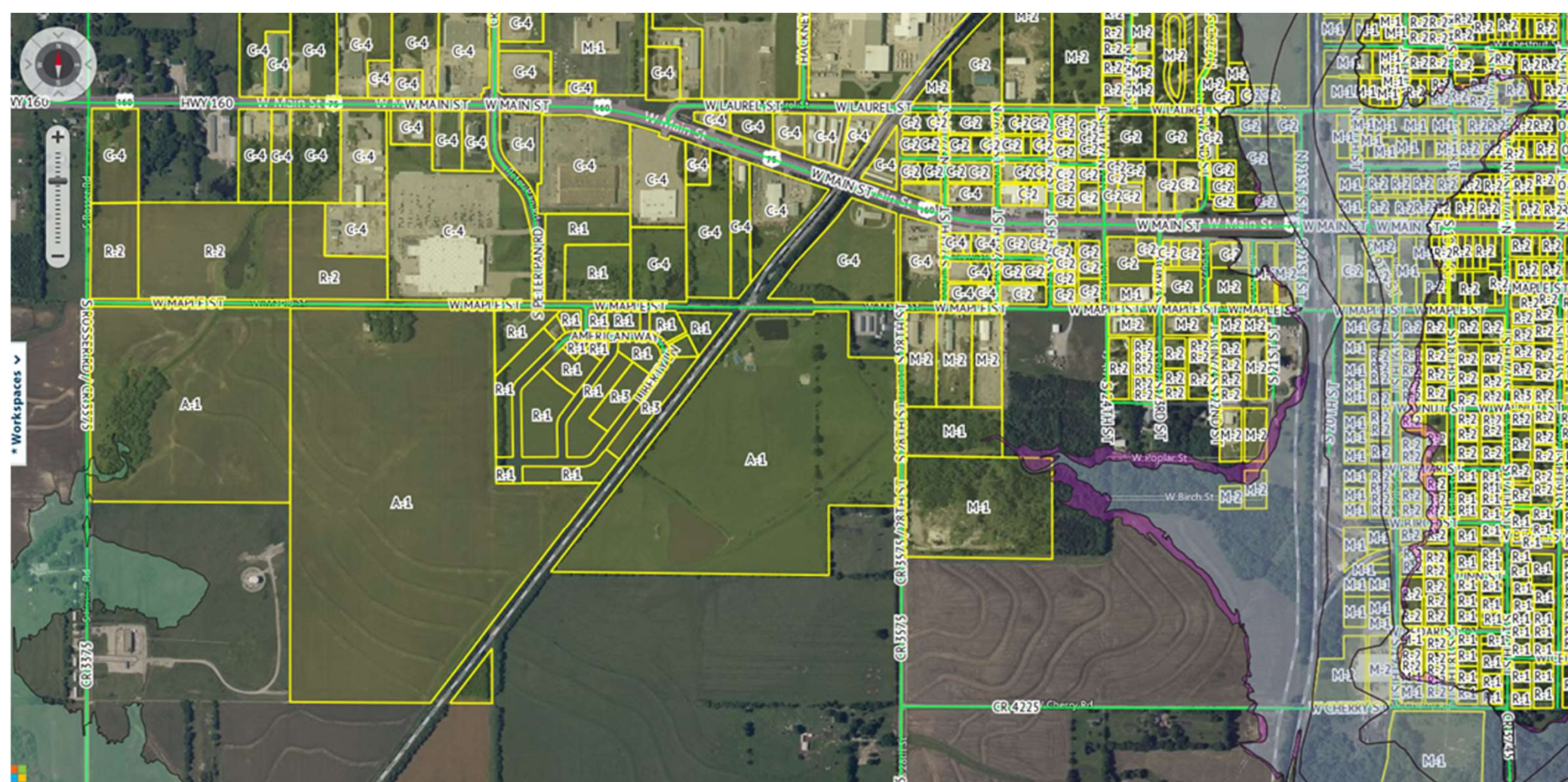
17th Street/Grant Avenue



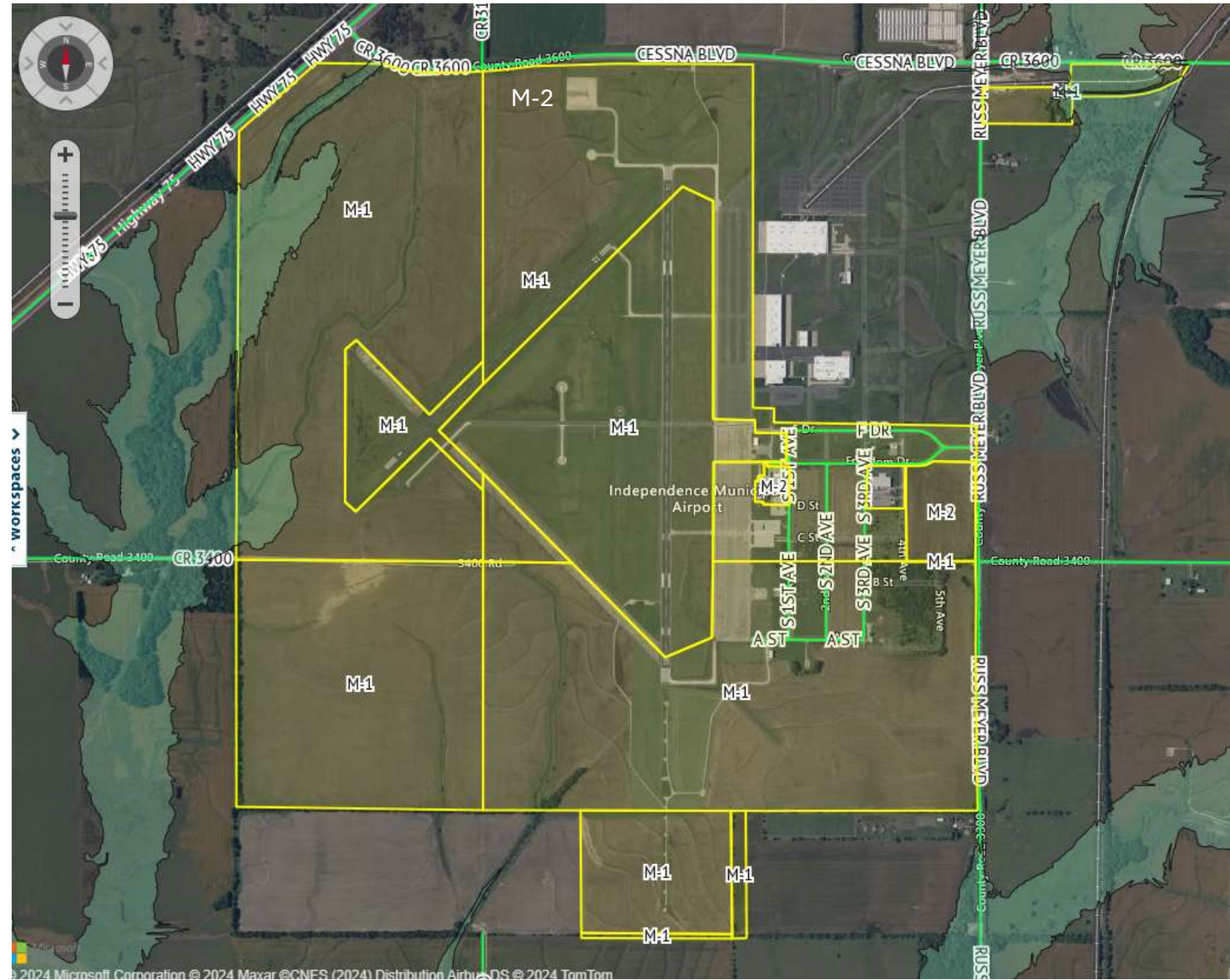
Oak Street to Main Street (West City Limits)



Main Street to South City Limits (West City Limits)



Independence Municipal Airport

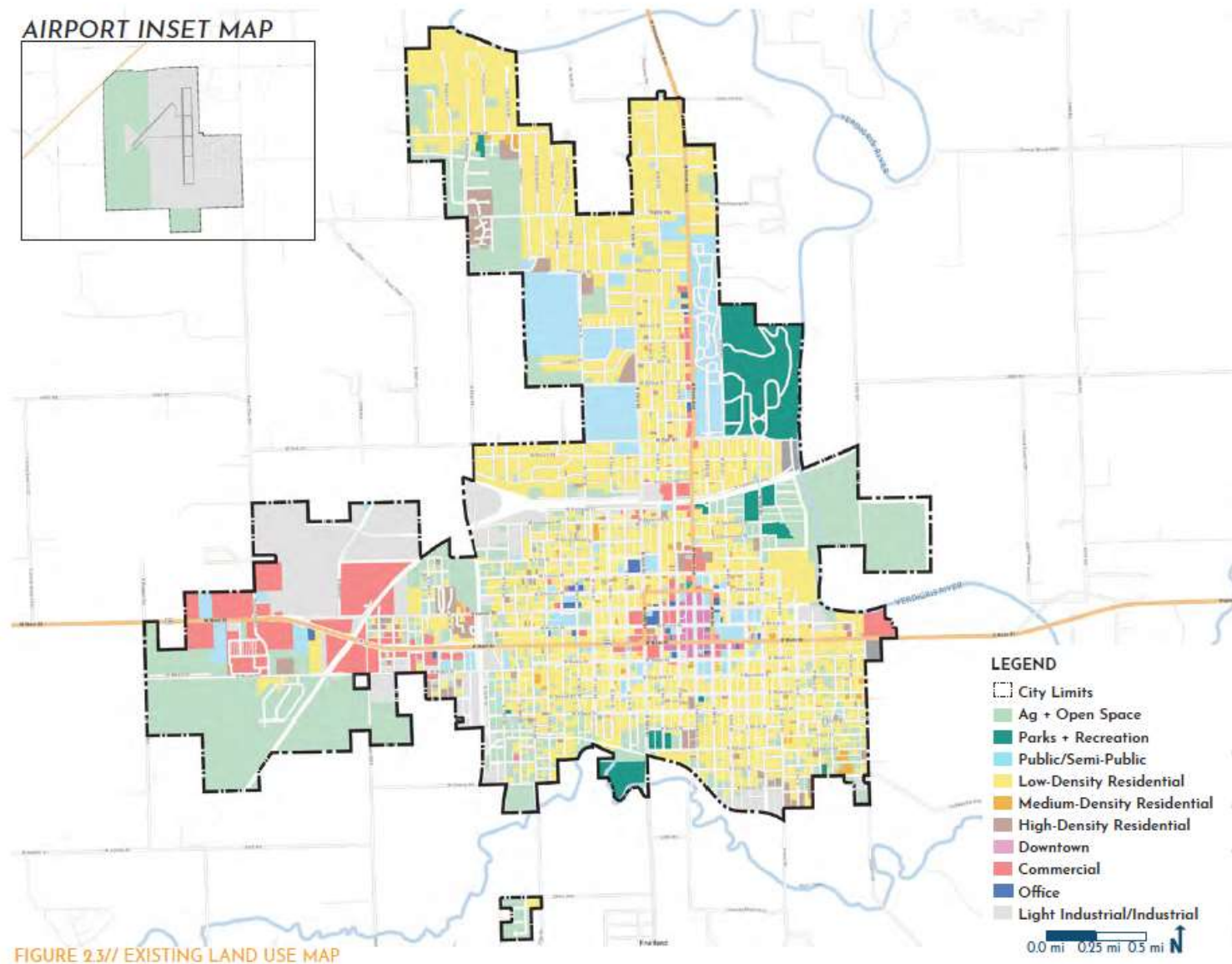


Attachment B

Existing and Future Land Use Maps

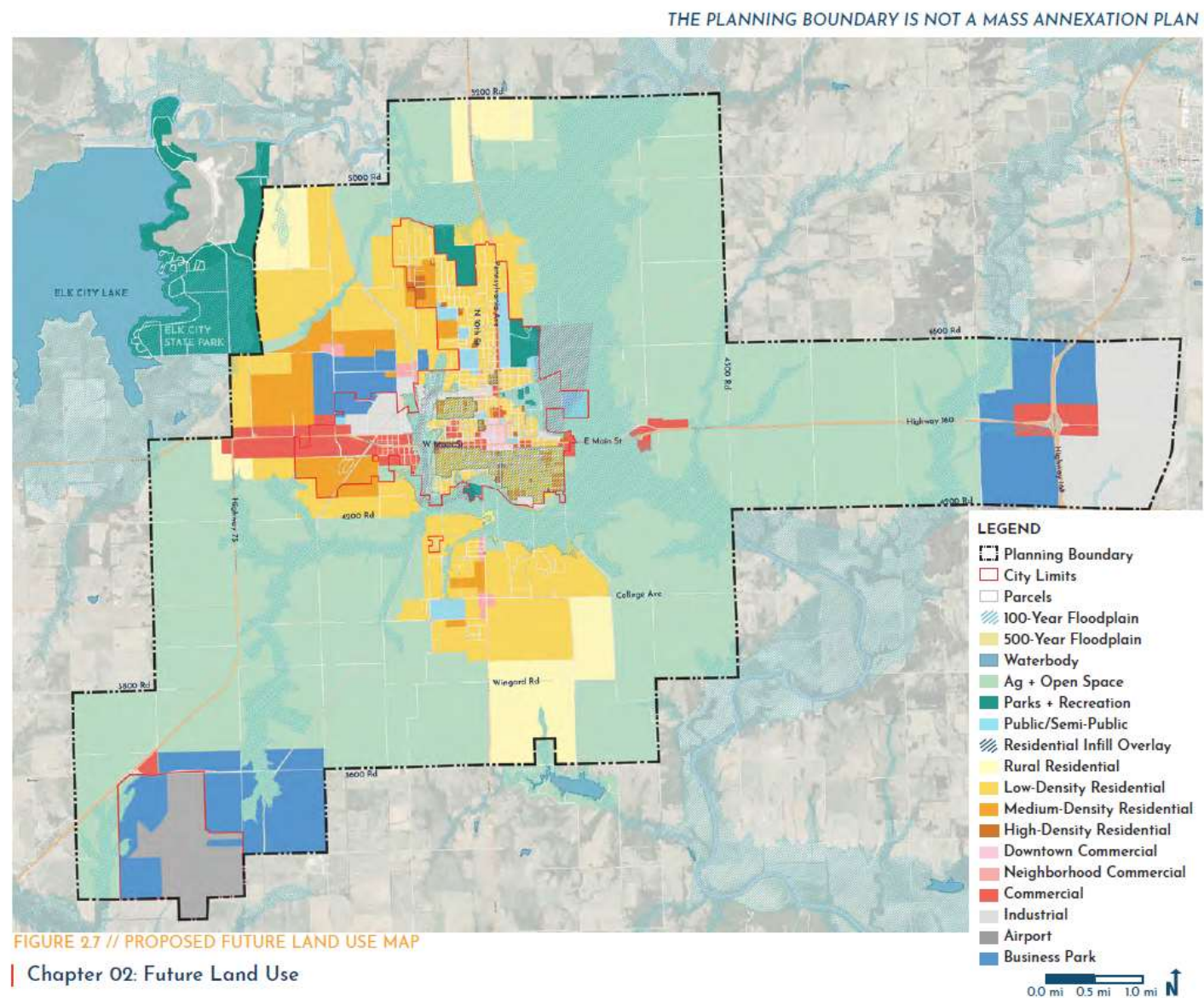
Land use designations may change during the duration of the plan. Any such changes will be reflected in accordance with updates to the Comprehensive Plan, or other applicable planning documents.

Existing Land Use



Future Land Use

Adopted May 23, 2024 as part of
the Community Development/
Comprehensive Plan



CHARLOTTE A. SCHMIDT
COUNTY CLERK
MONTGOMERY COUNTY
P.O. BOX 446
INDEPENDENCE, KANSAS 67301
620-330-1200

City Independence

DATE October 17, 2024

In accordance to K.S.A. 79-1965 as Amended by 1981 House Bill 2329. The final rate levies on the Ad Valorem tax needed to finance the budget as published is determined by the final assessed valuation.

In the event the County Clerk determines it is necessary to change any amount of Ad Valorem tax to be levied in the budget so certified, the County Clerk shall give ten days notice to the taxing subdivision affected, prior to making the change.

	ESTIMATED LEVY	FINAL LEVY
General Operating	49.915	49.422
Bond & Interest		
Noxious Weed		
Employees Benefit	0.000	
Library	4.000	3.960
Industrial	0.379	0.375
Special Liability		
Law Enforcement, Fire & Ambulance Equipment		
Library Employee Benefits		
TOTAL	54.294	53.757

*Rates per \$1,000.00

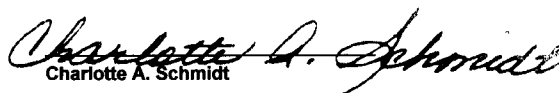
Estimated Assessed Valuation for Budget \$67,487,222

Final Assessed Valuation for Final Levy \$68,160,337

I, Charlotte Scott Schmidt, County clerk of Montgomery County, State of Kansas, do hereby certify the above levies.

Dated at Independence, Kansas, this 17th day of October 2024




Charlotte A. Schmidt
Montgomery County Clerk



Report
CITY OF INDEPENDENCE
January 9, 2025

Department Admin

Director Approval Kelly Passauer

AGENDA ITEM City Board Minutes

BACKGROUND

SUPPORTING DOCUMENTS

1. December 18, 2024 Rec Commission Board Minutes

INDEPENDENCE USD #446 RECREATION COMMISSION

Monthly Meeting December 18, 2024

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

MEMBERS PRESENT:

Greg Kelley
Joseph Housel
Dustin Woodward
Moises Rivera

OTHERS PRESENT

Brent Julian
Lori Bromley
Nick McBride
Galen Palmer
Lacey Lies

Greg Kelley opened the meeting at 11:30 a.m.

ROUTINE

Agenda

Dustin Woodward moved to approve the agenda as presented. Joe Housel seconded. Motion carried 4-0.

Minutes

Joe Housel moved to approve the board minutes from the November 20, 2024 board meeting. Moises Rivera seconded. Motion carried 4-0.

Bills

Joe Housel moved to approve the December 2024 invoices and checks for payment as presented in the amount of \$7,474.10 as well as the bills and employee benefit paid since the previous board meeting in the amount of \$35,568. Dustin Woodward seconded. Motion carried 4-0.

Treasurer's Report

Galen Palmer reported the following bank balances as of November 30, 2024: First Oak Bank – Checking; \$82,508.91; First Oak Bank – Petty Cash; \$500.00, and Equity Bank – Savings; \$5,806.37. Galen informed the commission that the bank balances are almost identical to this same time last year. Dustin Woodward moved to approve the treasurer's report as presented. Joe Housel seconded. Motion carried 4-0.

PROGRAMS/OPERATIONS

Maintenance Report

Brent Julian answered any questions the board had on the maintenance report in Jim Butts' absence. Dustin Woodward asked about the indoor pool area's HVAC system being down and Brent stated that there was a minor hiccup changing the system over from summer to winter mode, but they got it figured out and it is up and running again. Dustin asked how Jim winterized the ball fields and Brent stated he basically turns off the water and drains all the lines before the first freeze; TLC will take care of the sprinklers. Greg asked if some of the lighting could be turned off during the off season, and Brent stated that would be up to the city but due to safety issues, probably not.

Programs/Sports Report

Nick McBride answered any questions the board had on the programs and sports report. Dustin Woodward asked Nick about the upcoming pickleball tournament on January 18th and if there were going to be teams in from out of town. Nick stated yes there will be, and he has been contacted by a few teams already; last year there were approximately 16 teams in all. Nick stated he will offer men's, women's, and seniors 55+ brackets. Dustin asked if IRC offered pickleball programs for kids and Nick stated only during spring break for now, but maybe it is something to investigate in the future to see if there is enough interest. Joe Housel asked how the winter sports all-star tournaments would work, and Nick stated they would be basically the same as they were in the fall. Nick informed the board that Chanute Recreation had reached out about a possible tennis all-star tournament for the first time, so that might be something new to look forward to in the summer.

Director/Aquatics Report

Brent Julian answered any questions the board had on the director's report. A discussion was held on ICC using the Ash Center gym for practice while theirs was undergoing maintenance. Brent stated that ICC is to pay IRC \$5,000 per year to use Volunteer field on the Arco Sports Complex for their softball program and \$100 per year for a membership to the Ash Center for swimming etc... Joe Housel asked Brent if Advanced PT is still using the indoor pool for physical therapy sessions and Brent stated that they are and they pay \$150 per month. Brent stated he has reached out to Labette Health to see if they would be interested but has not heard back.

BUSINESS/FINANCE

Central Park Sports Complex Update

Lacey Lies, with the city of Independence, was present to give the commission an update on phase II of the new Central Park Sports Complex and to answer any questions. Lacey informed the board that they are still in negotiations with Crossland Construction on Phase II of the project, nothing in the plans has changed thus far and she hopes the contract will be signed so Phase II can begin soon. Lacey stated that USD #446 is still deciding on their participation in the project and should make a decision at their next board meeting.

Ash Center Pool Update

Brent informed the board members that the indoor pool paint has been purchased for approximately \$5,200 and Jason Eytcheson, with PRO-ticular Painting, will begin painting the pool at the end of December for the cost of \$5,000. Brent stated it will take the paint about 72 hours to cure then another few days to fill and heat. Brent stated that he hopes to have it back open in the first part of January.

CPSC Inter-local Agreement

Brent stated that IRC and the city have a five-page contract regarding who is financially responsible for what at the Central Park Sports Complex. Brent stated that the school board may be included in the contract should they decide to join the project. Brent stated that the contract does not change much for IRC, and he is happy with it. Brent stated that basically IRC would be responsible for the actual ball fields and clean-up. Joe Housel asked if Brent could send the board members each a copy. Brent stated that he would, but this is not the final copy depending on what the school district decides to do, but he is happy to send it out in an email anyway.

Loan from FirstOak Bank

Brent stated it is that time of year when funding for IRC gets tight and he may have to consider a quick loan from FirstOak Bank. Brent reminded the board that the large ad valorem check comes in the first of February and it often difficult to make it until then. Brent stated that the annual insurance through Newkirk, Dennis & Buckles comes due the first of November for almost \$30,000 and with painting the pool, the funds are just low right now. Brent stated that he would like the board's approval to obtain the loan in January only if needed. Brent stated that FirstOak charges IRC low interest and last year it was around \$500 to borrow \$50,000. Joe Housel moved to approve a loan up to \$50,000 from FirstOak Bank if necessary. Moises Rivera seconded. Motion carried 4-0.

Staff Discussions

Brent informed the board that Jim Butts will retire as IRC's maintenance supervisor on March 1, 2025. Brent stated that Lori has been in contact with KPERS retirement, and everything is ready to go. Brent stated he would get with the board soon to discuss hiring a replacement.

Executive Session

There was no need for an executive session.

Items from the Commission

There were no items from the commission.

Agreement for Action on Items from the Commission

There were no agreements for action on items from the commission.

Adjournment

Moises Rivera moved to adjourn the meeting. Dustin Woodward seconded. Greg Kelley adjourned the meeting at 12:05 p.m.

Respectfully Submitted,

Joseph Housel
Secretary



Report
CITY OF INDEPENDENCE
January 9, 2025

Department Admin

Director Approval April Nutt

AGENDA ITEM Approval of Bids for CDBG Work on the Bookstore Building.

BACKGROUND The City of Independence has received and approved two bids for the Community Development Block Grant (CDBG) project at the downtown Trident Bookstore Building, located at 106 N. 8th Street. The bids were reviewed and approved based on their compliance with project specifications and alignment with grant requirements.

The following bids were approved for award:

1. **Mid-Continental Restoration Company Inc.**
 - **Scope:** Masonry Restoration (Bid Package #4)
 - **Address:** 6707 E 12th St, Suite 101, Tulsa, OK 74112
2. **ACM Removal LLC**
 - **Scope:** Demolition (Bid Package #1)
 - **Address:** 8610 E 34th St. N, Suite 2, Wichita, KS 67226

These approvals will enable progress on the renovation and development of the Bookstore Building, enhancing the downtown area in accordance with CDBG guidelines.

Trident Properties, the project manager for this initiative, has been informed of the approved bids and instructed to proceed with awarding contracts to the respective vendors. Staff will continue to monitor and coordinate the progress of the project to ensure compliance with CDBG standards and successful project completion.

This report is for informational purposes. No further action is required at this time.

SUPPORTING DOCUMENTS

1. 01022025-TridentLetter
2. BID ACCEPTANCE_ACM REMOVAL BID PKG 1
3. BID ACCEPTANCE_MID CONT RESORATION BID PKG 4



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

January 2, 2025

RE: Trident Bookstore

To whom it may concern,

We are pleased to inform you that the two attached bids for the CDBG work on the Bookstore Building located downtown have been reviewed and approved for award.

The following bids are included for your reference:

1. **Bid Package #4 – Masonry Restoration** by Mid-Continental Restoration Company Inc.
2. **Bid Package #1 – Demo** by ACM Removal LLC.

These proposals were selected based on their alignment with the project requirements and the value they bring to this initiative. Please proceed with awarding these bids to the respective companies.

Should you require any additional information or assistance as this process moves forward, do not hesitate to contact us.

Thank you for your ongoing commitment to this project. We look forward to its successful completion.

Sincerely,

Kelly Passauer, CPM
City Manager

Copy: Christopher Stemler, Trident Partnerships



ECHELON
ARCH + DESIGN

Independence, KS | Overland Park, KS | Bartlesville, OK | Pittsburg, KS

Miranda Bruening
Principal | Owner
620.577.9300
Miranda@EchelonAD.com

October 17, 2024

ACM Removal LLC
8610 E 34th St. N
Suite 2
Wichita, KS, 67226
316-684-1800
jobs@acm-removal.com

Dear ACM Removal LLC,

We are pleased to inform you that your bid for the **CDBG 106 N. 8th St.** has been approved. After careful consideration, your proposal met all the necessary criteria, and we are excited to move forward with your company for this project.

We appreciate the time and effort your team has invested in preparing your bid and look forward to a successful collaboration.

Please feel free to reach out if you have any further questions or need additional details as we proceed.

Thanks,


Miranda Bruening, NCIDQ
Echelon Arch + Design

Bid Package(s) Bidding: Bid Package #1 - Demo





ECHELON
ARCH + DESIGN

Independence, KS | Overland Park, KS | Bartlesville, OK | Pittsburg, KS

Miranda Bruening
Principal | Owner
620.577.9300
Miranda@EchelonAD.com

October 17, 2024

Mid-Continental Restoration Company Inc
6707 E 12th St
Suite 101
Tulsa, OK, 74112
620-704-2703
Mark_aylward@midcontinental.com

Dear Mid-Continental Restoration Company Inc,

We are pleased to inform you that your bid for the **CDBG 106 N 8th St.** has been approved. After careful consideration, your proposal met all the necessary criteria, and we are excited to move forward with your company for this project.

We appreciate the time and effort your team has invested in preparing your bid and look forward to a successful collaboration.

Please feel free to reach out if you have any further questions or need additional details as we proceed.

Thanks,


Miranda Bruening, NCIDQ
Echelon Arch + Design

Bid Package(s) Bidding: Bid Package #4 – Masonry Restoration – REVISED 7/16/24

