INDEPENDENCE CITY COMMISSION

REGULAR SESSION AGENDA

March 13, 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. CONSENT AGENDA

(*Consent* is that class of Commission action that requires no further discussion or which is routine in nature. All items on the Consent Agenda are adopted by a single motion unless removed from the Consent Agenda.)

A. Consider approving the minutes of the February 26 and 27, 2025 Commission meetings.

B. Consider authorizing the financing of a bucket truck.

C. Consider a partial release of assignment and assumption of Lease and Related Bond Documents.

D. Consider authorizing bidding for a replacement sanitation truck.

E. Consider an agreement with Miranda and Trevor Bruening to connect a private water line to the City water system via two meters.

F. Consider canceling the March 19, 2025 Special Commission Meeting.

III. ITEMS FOR COMMISSION ACTION

A. Consider FORPAZ's request to paint a mural of Logan Fountain on the stadium wall based on Mark Johnson's original painting.

B. Consider bids for demolition of structures.

IV. REPORTS

A. 4th Quarter Treasurer's Report

B. City Board Minutes

V. CITY MANAGER'S COMMENTS

VI. COMMISSIONERS' COMMENTS

VII. PUBLIC CONCERNS

VIII. EXECUTIVE SESSION

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

IX. ADJOURNMENT

REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
March 13, 2025

Department **City Clerk** **Director Approval** **David Schwenker**

AGENDA ITEM Consider approving the minutes of the February 26 and 27, 2025 Commission meetings.

SUMMARY RECOMMENDATION Approve the Minutes

BACKGROUND

FINANCIAL INFORMATION

SUGGESTED MOTION I move to approve the minutes of the February 26 and 27, 2025 Commission meetings.

SUPPORTING DOCUMENTS

1. February 26 2025 Minutes
2. February 27 2025 Minutes

Minutes of the City Commission's February 26, 2025 Meeting

I. SPECIAL SESSION

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

City Staff Present: Kelly Passauer, City Manager; David Cowan, Assistant City Manager; Seth Jones, City Attorney; David Schwenker, City Clerk/City Treasurer; April Nutt, Director of Housing Authority and Lacey Lies, Director of Finance.

Visitors Present: Chuck Goad and Jim Kelly.

A. Call to Order

Mayor Smith 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 Scott Smith, seconded by Dean Hayse, the Commission recessed for an executive session concerning confidential data relating to financial affairs and/or trade secrets of a company pursuant to the exception found at K.S.A. 75-4319(b)(4). The open meeting will resume at 9:30 a.m. in the Commission Room of City Hall.

Aye: Tim Emert, Dean Hayse, Scott Smith
Nay: None

The open meeting resumed at 9:30 a.m.

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 9:40 a.m. in the Commission Room of City Hall.

Aye: Tim Emert, Dean Hayse, Scott Smith
Nay: None

The open meeting resumed at 9:40 a.m.

Motion:
On the motion of Dean Hayse, 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 9:45 a.m. in the Commission Room of City Hall.

Aye: Tim Emert, Dean Hayse, Scott Smith
Nay: None

The open meeting resumed at 9:45 a.m. with no action taken.

B. Discussions prior to acquisition of real estate.

Motion:
On the motion of Dean Hayse, seconded by Tim Emert the Commission recessed for an executive session for discussion of possible acquisition of real estate pursuant to the preliminary discussion on acquisition of real estate exception found at KSA 75-4319(b)(6). The open meeting will resume at 9:50 a.m. in the Commission Room of City Hall.

Aye: Tim Emert, Dean Hayse, Scott Smith
Nay: None

The open meeting resumed at 9:50 a.m. with no action taken.

III. <u>ITEMS FOR DISCUSSION</u>

A. Discussion of idle water meters and boarding up vacant structures.

City staff will discuss a proposed idle meter fee with the Commission and an ordinance for boarding up vacant structures. City staff met with the City Attorney to discuss the ordinance since he cannot attend the Special Meeting. He wrote up a list of points regarding that discussion.

IV. <u>ADJOURNMENT</u>

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

Aye: Tim Emert, Dean Hayse, Scott Smith
Nay: None

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W. Scott Smith, Mayor

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Dean A. Hayse, Commissioner

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Tim Emert, Commissioner

Attest:

____

City Clerk/Treasurer

Minutes of the City Commission's February 27, 2025 Meeting

I. REGULAR SESSION

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

City Staff Present: Kelly Passauer, City Manager; David Cowan, Assistant City Manager; Seth Jones, City Attorney; David Schwenker, City Clerk/City Treasurer; April Nutt, Director of Housing Authority; Scott Patton, Park and Zoo Director; John Garris, City Engineer/Director of Public Works and Lacey Lies, Finance Director.

Visitors Present: Larry McHugh, Sherri Garris, Paul Stoner, Riley Blomenkamp, Mike Younger, Louis Ysusi, Robert Bever II, Ron O'Brien, Robert Bever Sr., Jim Kelly, Mike Cordray, Clayton Kelly and Doug Pickert.

A. Call to Order

Mayor Smith called the meeting to order.

B. Pledge of Allegiance to the United States of America

C. Adoption of Agenda

Motion:
On the motion of Tim Emert, seconded by Dean Hayse, the Commission adopted the agenda.

Aye: Tim Emert, Dean Hayse, Scott Smith
Nay: None

II. PRESENTATIONS

A. Acceptance of Engineering Excellence Award

The Big Straw project was awarded the Engineering Excellence Award from the American Council of Engineering Companies (Kansas). This is a statewide award, and recognizes innovative and outstanding examples of engineering. Mike Younger of EBH presented the City and Rural Water District No. 6 plaques to commemorate this award.

III. CONSENT AGENDA

Motion:
On the motion of Dean Hayse, seconded by Tim Emert, the Commission adopted the consent agenda.

Aye: Tim Emert, Dean Hayse, Scott Smith
Nay: None

A. Consider approving the minutes of the February 13, 2025 Commission meeting.

Suggested Motion:
I move to approve the minutes of the February 13, 2025 regular Commission meeting.

B. Consider waiving the City curfew the evening of Friday, April 4, 2025 for a Barbecue Competition at the Riverside Park Oval.

Independence Barbecue Cook-Off is organizing a barbecue competition in Riverside Park, which will be held on the Park Oval April 5th, 2025. Competitors will set up the evening of April 4th and cook throughout the night. During the event, the public will have the opportunity to purchase sampler plates and vote for the best team. All proceeds from the event will be donated to support a local family in need. A similar event was held by Neewollah in 2023, and posed no issues.

Suggested Motion:
I move to waive the curfew the evening of Friday, April 4, 2025 to allow contestants to participate in the Independence Barbecue Cook-Off Barbecue Competition.

C. Consider purchase of a replacement mini-van for the City.

The City has received three bids for the replacement of a 2009 Dodge Grand Caravan, which is currently used for administrative purposes, employee training and schooling outside the city, transportation of children, and other municipal travel needs. Upon replacement, the 2009 van will be reassigned to the airport as a courtesy vehicle, replacing a 2008 Crown Victoria that will be auctioned.

Bids were received from Quality Toyota and Quality Ford, with the lowest bid of $40,205.00 for a Voyager LX. City staff recommends awarding the purchase to the lowest bidder.

Suggested Motion:
I move to approve the purchase of a Voyager LX from Quality Ford for $40,205.00.

IV. ITEMS FOR COMMISSION ACTION

A. Consider an ordinance and resolution regarding the issuance and sale of Series 2025-A Bonds.

This resolution is to authorize the offering for sale of the bonds.

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 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.

Motion:
On the motion of Tim Emert, seconded by Dean Hayse, the Commission approved and ratified the City Manager's prior award of the bid; to pass Ordinance No 4480; and to adopt Resolution No. 2025-014.

Aye: Tim Emert, Dean Hayse, Scott Smith
Nay: None

B. Consider accepting the new Park Master Plan from Indigo Designs

Over the past year, park staff and members of the park board have worked with Doug Pickert, of Indigo Designs, to develop an updated master plan focusing on key areas of Riverside Park and the three neighborhood parks. Areas of focus in Riverside Park include the playground, miniature train depot, miniature golf course, and the ATSF 1050 steam locomotive. Improving accessibility was a main priority of the plan, as well as improving safety, aesthetic appeal, and adding park amenities. Park staff and members of the

Park Board have reviewed all sections of the master plan with Doug, providing input and suggestions. The Park Board voted to approve the master plan update at their February 3rd meeting.

Motion:
On the motion of Scott Smith, seconded by Tim Emert, the Commission approved the Park Master Plan.

Aye: Tim Emert, Dean Hayse, Scott Smith
Nay: None

C. Consider adopting an ordinance authorizing the exercise of eminent domain for the construction of a Multi-Use Pathway.

The City has approved acceptance of the Transportation Alternatives project, which will build a new multi-use pathway with one segment along the southern part of west Main Street and the intersection of Main and Peter Pan. In order to complete the sidewalk, a closure of the western entrance of Waters Hardware building at 2801 West Main Street is required. To this end, discussions were held with representatives of the owner, and they declined to grant the necessary easement. Therefore, the City must exercise eminent domain to acquire the easements to complete the project. This ordinance prepared by the City Attorney is the next step in that process.

Motion:
On the motion of Tim Emert, seconded by Dean Hayse, the Commission adopted Ordinance 4481, declaring the necessity of the multi-use path and authorizing the survey.

Aye: Tim Emert, Dean Hayse, Scott Smith
Nay: None

V. <u>REPORTS</u>

A. Monthly Projects Report

Engineer Garris presented the report and thanked city staff for their hard work during the last snow storm.

B. Appropriations

VI. <u>CITY MANAGER'S COMMENTS</u>

City Manger Passauer informed the Commission that MFG presented the fire department with a $25,000 donation for fire equipment, the next Commission meeting dates are March 13th, 19th, and 27th, the Main Street fundraiser is on Saturday March 1st, MCAC will have their first quarter meeting on March 20th in Caney, a business after hours event on March 25th in Cherryvale, and on September 18th they will host a taste of Montgomery County in Cherryvale.

VII. COMMISSIONERS' COMMENTS

None.

VIII. PUBLIC CONCERNS

None.

IX. ADJOURNMENT

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

Aye: Tim Emert, Dean Hayse, Scott Smith
Nay: None

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W. Scott Smith, Mayor

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Dean A. Hayse, Commissioner

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Tim Emert, Commissioner

Attest:

____

City Clerk/Treasurer

REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
March 13, 2025

Department **<u>Finance</u>** **Director Approval** **<u>Lacey Lies</u>**

AGENDA ITEM Consider authorizing the financing of a bucket truck.

SUMMARY RECOMMENDATION Accept the low bid

BACKGROUND On February 13, 2025 the Commission approved the purchase of a 2024 Ford F-600 Bucket Truck for $195,195.27 Palfinger Equipment Technology, LLC. The City has budgeted this as a lease-purchase arrangement.

FINANCIAL INFORMATION Proposals for financing rates were received from four local banks. City staff recommend awarding a 5-year term to the financial institution that offered the lowest interest rate of 4.25%. This is a budgeted purchase from the Capital Reserve Fund.

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

SUPPORTING DOCUMENTS

1. Bucket Truck Financing Bid Tabulation
2. CNB City of Independence Bucket Truck Bid
3. Commercial Bank Bucket Truck
4. 2025.02.25 FirstOak Bank Bid 2024 Ford F600
5. SNB Bucket Truck Financing bid 2.26.25

Financing Bids	Term	Interest
Community National	5 Years	5.99%
Commercial Bank	5 Years	4.25%
FirstOak Bank	5 Years	5.95%
Solutions North Bank	5 Years	4.50%

COMMUNITY NATIONAL BANK & TRUST

February 26, 2025

RE: 2024 Ford F6000 Chassis Bucket Truck

City of Independence Kansas

It is our pleasure to offer you the extension of credit for the purpose of purchasing a new sanitation truck for the City of Independence.

Our interest rate bid will be 5.99% for a 5 year term.

Upon selection of bid Community National Bank & Trust will review the collateral specifications and documentation prior to final approval.

If you have questions don't hesitate to contact us 620-332-3125.

Sincerely,

Bryan Clubine
President
Community National Bank & Trust
Office: 620-332-3125
bryan.clubine@communitynational.net

Commercial Bank
Serving Southeast Kansas Since 1874!

February 20, 2025

City of Independence
Attn: Lacey and David
120 North Sixth Street
Independence, KS 67301

Re: Bucket Truck Lease Purchase Bid

Dear Lacey and David:

Please accept our bid in response to your email request for a lease purchase agreement proposal. I have provided the options below for your consideration.

2024 Ford F600 Chassis Bucket Truck		
Amount	$195,195.27	$195,195.27
Rate	4.25%	4.25%
Term	5 Years	5 Years
Rentals per Year	1-Annual	2-Semi-annual
Rental Pymts	$44,156.39	$21,871.82
Advance Pymts	0	0
Residual Amt	$0.00	$0.00
Equipment	Bucket Truck as described on invoice	Bucket Truck as described on invoice

Please don't hesitate to contact me if you have any questions. Thank you for the opportunity to provide this proposal. I look forward to working with the City of Independence.

Sincerely,

Ryan Goad

Ryan C Goad, Loan Officer-Independence

Commercial Bank

February 20, 2025

David Schwenker, City Clerk/Treasurer
City of Independence
811 W. Laurel St.
Independence, KS 67301

Dear Mr. Schwenker:

FirstOak Bank, in conjunction with its leasing advisors, Bankers' Bank of Kansas, is pleased to offer the following Lease-Purchase Financing Proposal to the City of Independence.

Lessee:	City of Independence
Lessor:	FirstOak Bank or its assigns
Equipment:	2024 Ford F600 Chassis Quote ID: MV2315
Amount Financed:	$195,195.27
Proposed Terms:	Term of five (5) years with annual or semi-annual payments
Interest Rate:	5.95%
Fees to the City:	$500.00
Escrow:	If delivery of the financed equipment is not scheduled for within 120 days of the date of this letter, or if delivery of the financed equipment takes place over an extended period of time, Lessor and Lessee may agree to have the Lessor place the funds dedicated to paying the equipment cost into an interest bearing Escrow Account. When a piece of equipment (or other partial delivery) has been delivered and accepted by the Lessee, the Vendor invoices will be paid upon receipt of a Payment Request form. Interest earned on the Escrow Account will be Payable to Lessee, unless otherwise agreed.
Purchase Option:	The Lessee may pay a Purchase Option on the due date of any lease payment. The Purchase Option Price, after all lease payments have been made, will be either $1.00 or $0.00
Documentation:	The documentation will be that of a standard Lease-Purchase Agreement with Exhibits. The Lease-Purchase Agreement will make provision for annual appropriations by the City of Independence. Included in the Exhibits will be an Opinion of Lessee's Counsel attesting to the legality of the Lease-Purchase Agreement. Title to the Equipment being financed will rest with the Lessee upon acceptance of the Equipment. The Lessee will also be responsible for all

maintenance, insurance, and taxes. The Lessee will also be required to provide a certificate of Bank Eligibility stating that lessee has not and does not intend to issue more than $10,000,000 in obligations during the current calendar year. Other documents may be added if required by the circumstances of the finance transaction.

Financial Information: A copy of the 2022 and 2023 Annual Audit Reports of the City of Independence will be required for final credit approval. Copies of future Annual Audit Reports will be required for file documentation.

Board Resolution: The Attached board Resolution should be passed at the meeting of the government body approving the financing.

This proposal is subject to final credit approval and mutually accepted documentation. If the City of Independence has not accepted this proposal within twenty (20) days of the date of its submission and if the finance transaction has not been closed by March 9th, 2025, the Terms may be subject to change due to future interest rate market conditions. To accept this proposal, please sign below and return a copy of the signed Proposal letter to me. Please call me with any questions. Thank you for the opportunity to provide lease-purchase financing to the City of Independence.

Sincerely,

SVP

Tyson W. Oakes
Senior Vice President

Proposal Acceptance

City of Independence accepts the Lease-Purchase Financing Proposal submitted above. If the Proposal Letter contains more than one financing option, we have circled the one we wish to accept.

City of Independence

By: ______________________________

Date: ______________________________

RESOLUTION OF GOVERNING BODY

BE IT RESOLVED by the governing body of City of Independence (the "Lessee"), at a duly called meeting of the governing body held on _______________, 2025, the following resolution was introduced and adopted:

RESOLVED, whereas the governing body of Lessee has determined that a true and very real need exists for the acquisition of a 2023 Freightliner Sanitation Truck (the "Equipment"), the Lessee desires to finance the Equipment by entering into an Equipment Lease Purchase Agreement with FirstOak Bank as Lessor and City of Independence as Lessee (the "Agreement") according to the terms set forth in the Bid Proposal from the FirstOak Bank dated February 20, 2025 presented at the board meeting; and the Equipment will be used by the Lessee for the purpose of:

Independence Street Department Use

RESOLVED, whereas the governing body of Lessee has taken the necessary steps, including any legal bidding requirements, under applicable law to arrange for the acquisition of such equipment,

RESOLVED, whereas the governing body hereby directs its legal counsel to review the Agreement and negotiate appropriate modifications to said Agreement so as to assure compliance with state law and local statutory law, prior to execution of the Agreement by those persons so authorized by the governing body for such purpose,

BE IT RESOLVED, by the governing body of the Lessee that:
The terms of said Agreement are in the best interests of Lessee for the acquisition of such Equipment and the governing body of Lessee designates and confirms the following persons to execute and deliver, and to witness (or attest), respectively, the Agreement and any related documents necessary to the consummation of the transactions contemplated by the Agreement.

Name and Title of Person(s) to Execute Agreement:

____

RESOLVED, the Lessee covenants that it will perform all acts within its power which are or may be necessary to insure that the interest portion of the Rental Payments coming due under the Agreement will at all times remain exempt from federal income taxation under the laws and regulations of the United States of America as presently enacted and construed or as hereafter amended.

The Lessee hereby certifies that it has not issued or effected the issuance of, and reasonably anticipates that it shall not issue or effect the issuance of more than ten million dollars ($10,000,000.00) of tax-exempt obligations during the calendar year, and hereby designates the Agreement as a "qualified tax exempt obligation", as defined by Section 265 (b) (3) of the Internal Revenue Code of 1986, as amended.

The undersigned further certifies that the above resolution has not been repealed or amended and remains in full force and effect and further certifies that the above and foregoing Agreement is the same as presented at said meeting of the governing body of Lessee.

____
Secretary/Clerk of Lessee

Attachments: Related Board Minutes

SOLUTIONS NORTH BANK
www.snbks.com

February 26, 2025

City of Independence
120 North Sixth Street
Independence, KS 67301

RE Bucket Truck financing

Proposed Purchase:	2024 Ford F600 Chassis
Amount:	$195,195.27
Term:	5 years with Annual or Semi-Annual payments
Lease rate:	4.50% fixed for term
Payment:	Estimated at $44,544.37 Annually or $21,974.90 Semi-annually – may vary depending on payment dates selected

Please contact me at 620-251-1313 or Juliev@snbks.com with any questions.

Sincerely,

Julie L. Voelker
Executive Vice President

REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
March 13, 2025

Department **Admin** **Director Approval** **April Nutt, Jeffrey Chubb**

AGENDA ITEM Consider a partial release of assignment and assumption of Lease and Related Bond Documents.

SUMMARY RECOMMENDATION City Staff recommends approval of the release.

BACKGROUND The Independence Housing Authority purchased the property known as the Jefferson Subdivision from Montgomery County Assisted Living LLC June 28, 2018. The City of Independence issued Taxable Internal Revenue Bonds Series 2016 and 2016B to Montgomery County Assisted Living LLC for the development of the Montgomery County Assisted Living facility. At this time, the city needs to approve a "Partial Release of Assignment and Assumption of Lease Related Bond Documents" in order for the property known as the Jefferson Subdivision to be released from the IRB's Series 2016 and 2016B and to be sold.

FINANCIAL INFORMATION There is no impact on the City's budget.

SUGGESTED MOTION I move to authorize the Mayor to sign the "Partial Release of Assignment and Assumption of Lease and Related Bond Documents" for the property known as the Jefferson Subdivision.

SUPPORTING DOCUMENTS

1. IHA-partial release-

**Partial Release of Assignment and Assumption of Lease
and Related Bond Documents**

COMES NOW, the City of Independence, Kansas, a municipal corporation, and hereby partially releases that certain Assignment and Assumption of Lease and Related Bond Documents recorded March 16, 2022, in Book 713 at Page 339 as it pertains to the following described real estate only:

Lots 1 through 22, Jefferson Subdivision, a replat of
Lots 3 through 6, Block 3, Highland Park Addition,
City of Independence, Montgomery County, Kansas

City of Independence, Kansas

By________________________________
W.S SMITH, Mayor

ATTEST:

____
DAVID W. SCHWENKER, City Clerk

ACKNOWLEDGMENT

STATE OF KANSAS)
) SS:
COUNTY OF MONTGOMERY)

Be It Remembered that on this ____ day of ________________, 2025, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came **W.S. Smith**, Mayor, and **David W. Schwenker**, City Clerk, for the City of Independence, 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.

My commission expires: ______________________________
NOTARY PUBLIC

REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
March 13, 2025

Department **Public Works & Utilities** **Director Approval** **John Garris**

AGENDA ITEM Consider authorizing bidding for a replacement sanitation truck.

SUMMARY RECOMMENDATION Authorize bid.

BACKGROUND The 2025 budget contains funding for the purchase of a new sanitation truck. This truck would require a CDL for operation.

The bid is set at 2pm, Thursday, April 17, 2025.

FINANCIAL INFORMATION There is no financial impact until a truck is recommended for purchase.

SUGGESTED MOTION I move to authorize bidding for a new sanitation truck.

SUPPORTING DOCUMENTS

1. Sanitation Truck Bid

ADVERTISEMENT FOR BID

The City of Independence, Kansas, is accepting bids for a new 32-Yard Rear Loading Sanitation Truck for the City's Sanitation Department, meeting or exceeding the attached specifications.

Bids will be in the office of the City Clerk, 120 N 6th street, Independence, Ks. 67301, on or before 2:00 p.m. on April 17, 2025. Bids shall be enclosed in a sealed envelope plainly marked on the outside "Sanitation Department Truck". If bid is mailed, original envelope shall be enclosed in a separate envelope addressed to the City Clerk, also plainly marked on the outside as stated above. E-mail or fax bids will not be accepted. The apparent low bid will then be presented to the Independence City Commission at a regular meeting for their formal action.

The City 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. The City Manager may require that no bidder may withdraw a bid for a period of up to forty-five (45) days after the date and hour set for opening bids, but that a bid may be withdrawn up to twenty-four (24) hours prior to expiration of the deadline for submitted bids.

CITY OF
INDEPENDENCE
KANSAS

SPECIFICATIONS & BID SHEET

ONE NEW 32-YARD REAR LOADER

CHASSIS
DIESEL ENGINE
AUTOMATIC
A/C
THREE PERSON SEATING
AIR BRAKES

PACKER BODY
LIP-N-LATCH CONTAINER DUMP
KICKER BAR AND DRUM WINCH
COLOR CAMERA SYSTEM
WORK LIGHTS
STROBE LIGHTS
DUAL CART TIPPER

DELIVERY INCLUDED TO
SANITATION DEPARTMENT
21ST STREET/MAPLE STREET
INDEPENDENCE, KS 67301

PLEASE PRIVIDE WARRANTY INFORMATION.

FOR ANY QUESTIONS OR FURTHER INFORMATION, PLEASE CONTACT:
JOHN GARRIS
CITY ENGINEER
ENGINEER@INDEPENDENCEKS.GOV

THE CITY OF INDEPENDENCE IS A TAX-EXEMPT MUNICIPALITY.

DELIVERY INCLUDED TO:
CITY HALL
120 N. 6th ST
INDEPENDENCE, KS 67301

SPECIFICATIONS & BID SHEET

SANITATION TRUCK BID FORM

1. NEW 32-YARD REAR LOADER $__________________________

2. ESTIMATED DELIVERY DATE __________________________

Bidder Information:

Name ____

Address ____

City _____________________ St.___________ Zip_____________

Phone ____

E- Mail Address ____

Authorized Officer ____

Title ____

Date _________________

REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
March 13, 2025

Department **Admin** | **Director Approval** **David Cowan**

AGENDA ITEM Consider an agreement with Miranda and Trevor Bruening to connect a private water line to the City water system via two meters.

SUMMARY RECOMMENDATION City Staff recommends approval of the agreement.

BACKGROUND

On June 27, 2025, the City annexed 3130 N. 13th Street into the City limits for Trevor and Miranda Bruening. As part of the annexation agreement, the City agreed to provide a water meter connected to a private line serving the property.

The attached agreement modifies the original terms to allow for two (2) water meters to be placed at the property location. However, the private line from the shut-off valve on Birdie Drive to the property will remain the owner's responsibility for repairs and maintenance. The City's only responsibility will be the maintenance of the water meters and the meter pit located on the property.

This modification was requested to accommodate an additional water meter for irrigation, which could only be provided by placing both meters on the property.

FINANCIAL INFORMATION The City has no additional cost associated with this agreement.

SUGGESTED MOTION I move to authorize the Mayor' to sign the agreement for connection to the City water system.

SUPPORTING DOCUMENTS

1. 2025.3.3 Bruening agreement

Agreement for Connection to City Water

This Agreement is entered into by and between the **City of Independence, Kansas**, a municipal corporation, (hereafter City), and **Trevor Jay Bruening and Miranda Dawn Bruening**, husband and wife, (hereafter Bruenings).

Whereas, Bruenings are owners of the following described property:

Tract 1: **Being a tract of land located in a portion of the SE/4 of Section 13, Township 32 South, Range 15 East of the 6th P.M., Montgomery County, Kansas, being more particularly described as follows: Commencing at the Southwest corner of the NE/4 of the SE/4 of said Section 13, thence N 00º10’54” W along the West line of said NE/4 of the SE/4 a distance of 809.30 to the point of beginning, thence N 00º10’54” W along said West line a distance of 513.22 feet to a point on the North line of said SE/4, thence S 89º49’34” E along said North line a distance of 155.28 feet, thence S 03º01’47” W a distance of 367.12 feet, thence S 61º58’13” E a distance of 172.00 feet, thence S 57º28’13” E a distance of 122.00 feet, thence N 89º57’26” W a distance of 388.94 feet to the point of beginning**

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

And Whereas, pursuant to a series of agreements, the Bruening’s property has been annexed by the City, and Bruenings have been permitted to connect a private water line to the City’s water line.

And Whereas, the parties wish to formalize their agreements as hereinafter set forth.

Now Therefore, in consideration of the mutual covenants and agreements hereinafter contained, the parties agree to the following:

1. **Annexation**: Bruenings acquired the above-described property which at the time of acquisition was located outside the City limits of the City of Independence. In order to connect to City water, City required Bruening's to consent to annexation which they did. The Bruening's property has now been annexed by City pursuant to Ordinance No. 4459 adopted August 8, 2024.

2. **Connecting to City Water**: Bruenings are permitted to connect to City water by constructing a private water line from their property, across other privately owned property, to a connection with a City water line at a location approved by City. Construction of the private water line and all future maintenance of the private water line to the point of connection with the City's water line shall be by Bruenings at their sole expense.

3. **Meters:** The City agrees to install two water meters to serve Bruening's property, one for standard water usage, and the second for watering/ sprinkling purposes.

4. **Septic System:** As a condition of the annexation and the water connection, Bruenings agree to install and maintain an approved septic system to serve their property at their sole expense.

5. **Binding Effect:** This agreement is binding upon the heirs, successors and assigns of the parties hereto and shall be considered a convent running with the land.

WHEREUPON, the parties have hereinto set their hands on the dates shown below.

City of Independence, Kansas

____________________ By:__________________________________

Date: W.S. Smith, Mayor

ATTEST:

____

DAVID W. SCHWENKER, City Clerk

STATE OF KANSAS)
) SS:
COUNTY OF _______________)

Be It Remembered that on this _____ day of ___________________, 2025, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came **W.S. Smith**, Mayor, and David W. Schwenker, City Clerk, for the City of Independence, 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.

____

My commission expires: NOTARY PUBLIC

Bruenings

By:________________________________

____
Date: **Trevor Jay Bruening, husband**

____________________ ________________________________
Date: **Miranda Dawn Bruening, wife**

STATE OF KANSAS)
) SS:
COUNTY OF ________________)

Be It Remembered that on this _____ day of ____________________, 2025, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came T**revor Jay Bruening and Miranda Dawn Bruening**, husband and wife, who are personally known to me to be the same persons who executed the within instrument of writing and such persons duly acknowledged the execution of the same.

In Witness Whereof, I have hereunto set my hand and affixed my seal, the day and year last above written.

____
My commission expires: NOTARY PUBLIC

REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
March 13, 2025

Department **Admin** **Director Approval** **Kelly Passauer**

AGENDA ITEM Consider canceling the March 19, 2025 Special Commission Meeting.

SUMMARY RECOMMENDATION Cancel the Special Commission Meeting.

BACKGROUND The Commission may wish to consider canceling the Special Commission meeting on March 19, 2025 as we currently have no items for this agenda.

FINANCIAL INFORMATION

SUGGESTED MOTION I move to cancel the Special Commission Meeting on March 25, 2025.

SUPPORTING DOCUMENTS

REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
March 13, 2025

Department **Park, Zoo & Cemetery** **Director Approval** **Scott Patton**

AGENDA ITEM Consider FORPAZ's request to paint a mural of Logan Fountain on the stadium wall based on Mark Johnson's original painting.

SUMMARY RECOMMENDATION The City Commission is requested to consider approving a mural on the stadium wall, as proposed by Friends of Riverside Park and Zoo (FORPAZ). The mural, dedicated to the memory of Mark Johnson, will depict a fountain image he previously painted. The Park Board has approved the project, and FORPAZ is also presenting the request to the Board of Education.

BACKGROUND FORPAZ has submitted a request to install a mural on the stadium wall in honor of Mark Johnson. His family established a memorial in his name and wishes to commemorate his artistic contribution by recreating his fountain painting as a mural. Mark Johnson was well known for his artwork depicting scenes from Riverside Park and Ralph Mitchell Zoo. The Park Board has reviewed and approved the proposal, and FORPAZ is also seeking approval from the Board of Education before presenting the request to the City Commission.

FINANCIAL INFORMATION There is no direct financial impact on the City, as FORPAZ and the Johnson family are managing and funding the project through Memorial donations. FORPAZ will also be responsible for any future maintenance of the mural.

SUGGESTED MOTION I move to approve FORPAZ's request to install a mural of Logan Fountain on the stadium wall based on Mark Johnson's original painting, subject to FORPAZ being responsible for the future maintenance of the mural.

SUPPORTING DOCUMENTS

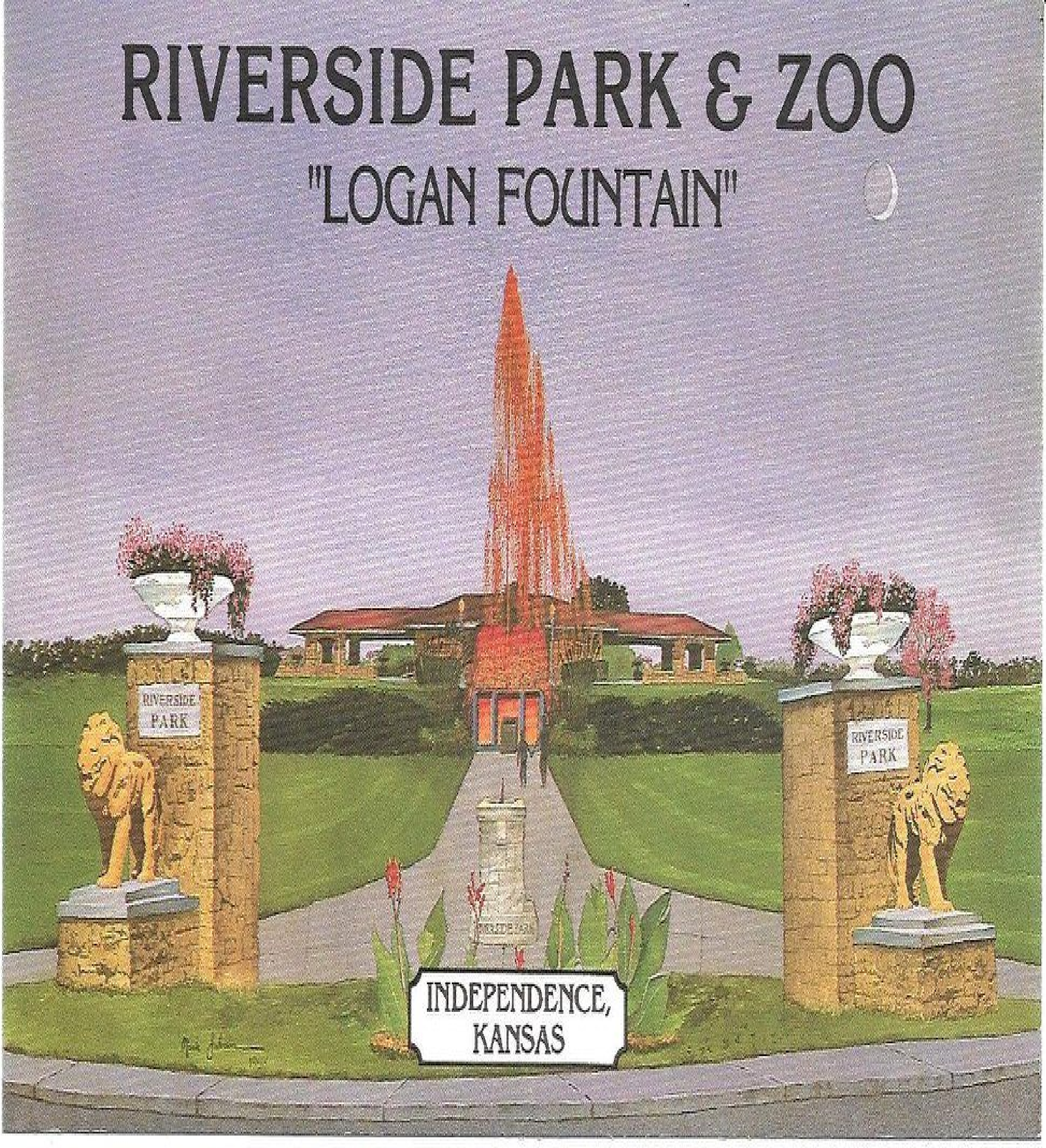
1. Fountain Mural FORPAZ
2. Logan Fountain

Outlook

FORPAZ Mural Request

From Gayle Holum
Date Sun 3/2/2025 12:01 PM
To Kelly Passauer

FORPAZ would like to obtain approval from the City for another mural on the stadium wall. Mark Johnson's family established a memorial in his name and would like to have the fountain picture Mark painted as a mural. The park board has approved and FORPAZ is scheduled to appear at the Board of Education meeting on March 10. Would it be possible to be scheduled for the City Commission meeting that week also?


RIVERSIDE PARK & ZOO
"LOGAN FOUNTAIN"
RIVERSIDE PARK
RIVERSIDE PARK
INDEPENDENCE, KANSAS

REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
March 13, 2025

Department **Admin** | **Director Approval** **David Cowan**

AGENDA ITEM Consider bids for demolition of structures.

SUMMARY RECOMMENDATION City staff recommends awarding the combined bid to G&G Dozer for the demolition of 21 of the 24 structures. No award will be given for the following properties:

1. 201 S. 16th Street - The owner is rehabilitating this structure.
2. 1116 W. Main Street -- The owner is working directly with a contractor for removal.
3. 707 W. Cottonwood -- The Landbank is working with a potential buyer.

The owner of 529 N. Penn Ave has been advised to make arrangements before the Commission meeting to reimburse the City for the removal cost. If they fail to do so, an alternate motion will be suggested not to include removing this structure as it has not been condemned.

BACKGROUND

The City of Independence has identified over 400 vacant structures within City limits. In collaboration with the Housing Authority, City staff has evaluated these structures and initiated condemnation procedures for 31 properties. A bid process was conducted to demolish 24 structures - 21 condemned structures and, at the owners' request, three not-condemned structures.

The lowest combined bid received was $138,374.00 from G&G Dozer of Caney, KS. The total cost would have been $158,400.00 if awarded based on the lowest individual bid received for each structure.

	G&G Dozer Combined Bid			
	Address	**Demo Cost**	**Approved Demo Cost**	**Reason for Removal From Bid Award**
1	224 S. Eart St.	$6,300.00	$6,300.00	
2	228 S. Eart St.	$4,100.00	$4,100.00	
3	1010 N. 9th St	$7,652.00	$7,652.00	
4	201 S. 16th St	$6,548.00	$0.00	Owner rehabilitating and work has started
5	205 S. 16th St.	$6,548.00	$6,548.00	
6	225 S. 16th St.	$5,564.00	$5,564.00	
7	512 S. 16th St.	$4,532.00	$4,532.00	
8	604 N. 16th St.	$4,712.00	$4,712.00	
9	529 N. Penn Ave*	$12,500.00	$12,500.00	Payment arrangements must be made before awarding bid
10	516 S. Penn Ave	$4,588.00	$4,588.00	
11	510 E. Main	$6,100.00	$6,100.00	
12	700 W. Main	$7,250.00	$7,250.00	
13	1112 W. Main	$6,900.00	$6,900.00	
14	1113 W. Main	$5,112.00	$5,112.00	
15	1116 W. Main*	$7,480.00	$0.00	Owner will work with G&G directly to remove
16	707 W Cottonwood*	$4,500.00	$0.00	Landbank working with potential buyer
17	820 W. Cottonwood	$3,772.00	$3,772.00	
18	621 N. 17th	$5,752.00	$5,752.00	
19	301 S. 14th	$4,820.00	$4,820.00	
20	309 S. 2nd	$5,360.00	$5,360.00	
21	911 W. Pine	$6,512.00	$6,512.00	
22	1309 W. Myrtle	$4,000.00	$4,000.00	
23	2100 W. Myrtle	$4,000.00	$4,000.00	
24	601 S. Wald	$3,772.00	$3,772.00	
		$138,374.00	**$119,846.00**	**Total with structures in orange excluded from bid award**
	**** Not condemned***			
		Total:	**$107,346.00**	**Total with structures in orange and green excluded from bid award**

FINANCIAL INFORMATION The City has budgeted $100,000.00 for demolition in 2025. One demolition cost share grant has been awarded for $3,000, leaving a remaining budgeted balance of $97,000. This contract for $119,846 would be paid for with $97,000 of budgeted 2025 demolition funds, $12,500 reimbursed to the City by the owner of 529 N. Penn Avenue, and the remaining $10,346 over-budget amount to be covered by a transfer of dollars from the General Fund to the Demolition Fund.

SUGGESTED MOTION I move to award the demolition contract to G&G Dozer for $119,846 to remove the following *21 structures*:

1. 224 S. Eart St.
2. 228 S. Eart St.
3. 1010 N. 9th St
4. 205 S. 16th St.
5. 225 S. 16th St.
6. 512 S. 16th St.
7. 604 N. 16th St.
8. 516 S. Penn Ave
9. 510 E. Main
10. 700 W. Main
11. 1112 W. Main
12. 1113 W. Main
13. 820 W. Cottonwood
14. 621 N. 17th
15. 301 S. 14th

16. 309 S. 2nd
17. 911 W. Pine
18. 1309 W. Myrtle
19. 2100 W. Myrtle
20. 601 S. Wald
21. 529 N. Penn Ave

If the owner of 529 N. Penn Avenue does not make arrangements to reimburse the City for the demolition of this structure by the Commission meeting, then the following alternative motion is recommended:

I move to award the demolition contract to G&G Dozer for $107,346 to remove the following *20 structures*:

1. 224 S. Eart St.
2. 228 S. Eart St.
3. 1010 N. 9th St
4. 205 S. 16th St.
5. 225 S. 16th St.
6. 512 S. 16th St.
7. 604 N. 16th St.
8. 516 S. Penn Ave
9. 510 E. Main
10. 700 W. Main
11. 1112 W. Main
12. 1113 W. Main
13. 820 W. Cottonwood
14. 621 N. 17th
15. 301 S. 14th
16. 309 S. 2nd
17. 911 W. Pine
18. 1309 W. Myrtle
19. 2100 W. Myrtle
20. 601 S. Wald

SUPPORTING DOCUMENTS

1. G & G Dozer
2. JRB Industries
3. Mega LLC
4. Southwest Dirt & Landscape LLC

CITY OF INDEPENDENCE KANSAS

7. BID SCHEDULE

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

A. Individual Bids:		**B. Combined Bid:**
• 224 S. Earl St.	Individual Bid amounts	
• 228 S. Earl St.	will be provided if	
• 1010 N. 9th	awarded the Bid	
• 201 S. 16th		
• 205 S. 16th St.		
• 225 S. 16th St		
• 512 S. 16th St.		
• 604 N. 16th St.		
• 529 N. Penn Ave		
• 516 S. Penn Ave		
• 510 E. Main St.		
• 700 W. Main St.		
• 1112 W. Main St		
• 1113 W. Main St.		
• 1116 W. Main St.		
• 707 W. Cottonwood		
• 820 W. Cottonwood		
• 621 N. 17th		
• 301 S. 14th		
• 309 S. 2nd		
• 911 W. Pine		
• 1309 W. Myrtle		
• 2100 W. Myrtle		
• 601 S. Wald		
	Total: $________	**Total: $** $138, 374

*City will take any sandstone foundation stone and remove it from the site, when ready to be picked up, to be used at Riverside Park.

CITY OF INDEPENDENCE KANSAS

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

Gary Gorby
Name of Bidder (Printed)

1875 Hwy 75 N. Caney ks
Address

Gary Gorby
Signature

3-06-25
Date

Owner
Title

620-515-5240 or 620-879-6243
Contact Phone Number

office@ggdozer.com
Email

City of Independence

224 S. Earl St : 5,600 + 200 = ~~5,800~~ 6,300
228 S. Earl st : 3,600 = ~~3,600~~ 4,100
1010 n 9th st : 6,552 + 600 = ~~7,152~~ 7,652
201 S. 16th st : 6,048 = ~~6,048~~ 6,548
205 S. 16th st : 6,048 = ~~6,048~~ 6,548
225 S. 16th St : 3,564 + 500 + 1,000 = ~~5,064~~ 5,564
512 S. 16th St : 4032 = ~~4,032~~ 4,532
604 n. 16th St : 4,212 = ~~4,212~~ 4,712
529 n. Penn Ave : 12,000 = ~~12,000~~ 12,500
516 S. Penn Ave : 3,888 + 200 = ~~4,088~~ 4,588
510 E. mainst : 5,600 = ~~5,600~~ 6,100
700 w mainst : 6,750 = ~~6,750~~ 7,250
1112 w main st : 5,400 + 1000 = ~~6,400~~ 6,900
1113 w. main : 4,212 + 400 = ~~4,612~~ 5,112
1116 w main st : 6,480 + 500 = ~~6,980~~ 7,480
707 cottonwood st : 4000 = ~~4000~~ 4,500
820 W. Cottonwood St : 2,772 + 500 = ~~3,272~~ 3,772
621 n 17th : 4,752 + 500 = ~~5,252~~ 5,752
301 S 14th : 4320 = ~~4,320~~ 4,820
309 S 2nd : 4,860 = ~~4,860~~ 5,360
911 W Pine st : 3,744 + 2,268 = ~~6,012~~ 6,512
1309 w mrytle : 3500 = ~~3,500~~ 4,000
2100 w mrytle : 3,500 = ~~3,500~~ 4,000
601 S. Wald : 2,772 + 500 = ~~3,272~~ 37,72

TOTAL 126,374 138,374

7. BID SCHEDULE

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

Property	A. Individual Bids:	B. Combined Bid:
224 S. Earl St.	5,500.00/	5,200.00/
228 S. Earl St.	4,500.00/	4,200.00/
1010 N. 9th	8,500.00/	8,000.00/
201 S. 16th	6,000.00/	5,500.00/
205 S. 16th St.	6,000.00/	5,700.00/
225 S. 16th St	13,000.00/	12,000.00/
512 S. 16th St.	5,000.00/	4,700.00/
604 N. 16th St.	5,000.00/	4,700.00/
529 N. Penn Ave	15,000.00/	10,000.00/ JB
516 S. Penn Ave	12,000.00/	11,000.00/
510 E. Main St.	9,000.00/	8,500.00/
700 W. Main St.	8,500.00/	8,200.00/
1112 W. Main St	7,500.00/	7,300.00/
1113 W. Main St.	9,000.00/	8,700.00/
1116 W. Main St.	6,000.00/	5,700.00/
707 W. Cottonwood	9,000.00/	8,700.00/
820 W. Cottonwood	5,500.00/	5,300.00/
621 N. 17th	6,500.00/	6,300.00/
301 S. 14th	6,500.00/	6,300.00/
309 S. 2nd	5,500.00/	5,200.00/
911 W. Pine	7,000.00/	6,700.00/
1309 W. Myrtle	3,500.00/	3,000.00/ JB
2100 W. Myrtle	3,500.00/	3,300.00/
601 S. Wald	6,000.00/	5,800.00/
	Total: $ 173,500.00/	**Total: $** 160,000.00/ JB

*City will take any sandstone foundation stone and remove it from the site, when ready to be picked up, to be used at Riverside Park.

One hundred & sixty thousand & 00/100

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

JRB Industries, Inc.	P.O. Box 603 Parsons, Ks. 67357
Name of Bidder (Printed)	Address
James R. Beachner	March 6, 2025
Signature	Date
President	620 423 1070
Title	Contact Phone Number
jamesbeachner@GMail.com	
Email	

INDEPENDENCE
KANSAS

7. BID SCHEDULE

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

A. Individual Bids:		B. Combined Bid:
• 224 S. Earl St.	4790	
• 228 S. Earl St.	5790	
• 1010 N. 9th	7490	
• 201 S. 16th	5890	
• 205 S. 16th St.	6790	
• 225 S. 16th St	9500	
• 512 S. 16th St.	5390	
• 604 N. 16th St.	4900	
• 529 N. Penn Ave	14400	
• 516 S. Penn Ave	7190	
• 510 E. Main St.	8590	
• 700 W. Main St.	7490	
• 1112 W. Main St	9500	
• 1113 W. Main St.	8790	
• 1116 W. Main St.	7790	
• 707 W. Cottonwood	8900	
• 820 W. Cottonwood	5590	
• 621 N. 17th	7190	
• 301 S. 14th	7290	
• 309 S. 2nd	4790	
• 911 W. Pine	8190	
• 1309 W. Myrtle	2490	
• 2100 W. Myrtle	3990	
• 601 S. Wald	5190	
Total: $	$167,910	**Total: $** 166,900.00

*City will take any sandstone foundation stone and remove it from the site, when ready to be picked up, to be used at Riverside Park.

CITY OF INDEPENDENCE KANSAS

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

MEGA LLC	2950 CR 3800
Name of Bidder (Printed)	Address
[signature]	3-6-25
Signature	Date
OWNER	620-331-9209
Title	Contact Phone Number
DirtDude1960@GMAIL.com	
Email	

INDEPENDENCE
KANSAS

7. BID SCHEDULE

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

A. Individual Bids:		B. Combined Bid:
224 S. Earl St.	8,250.00	
228 S. Earl St.	8,950.00	
1010 N. 9th	12,250.00	
201 S. 16th	11,000.00	
205 S. 16th St.	9,950.00	
225 S. 16th St	11,950.00	
512 S. 16th St.	8,950.00	
604 N. 16th St.	12,250.00	
529 N. Penn Ave	22,250.00	
516 S. Penn Ave	11,950.00	
510 E. Main St.	15,950.00	
700 W. Main St.	11,950.00	
1112 W. Main St	11,250.00	
1113 W. Main St.	16,150.00	
1116 W. Main St.	17,950.00	
707 W. Cottonwood	12,950.00	
820 W. Cottonwood	9,950.00	
621 N. 17th	9,950.00	
301 S. 14th	11,250.00	
309 S. 2nd	11,750.00	
911 W. Pine	13,250.00	
1309 W. Myrtle	7,950.00	
2100 W. Myrtle	10,950.00	
601 S. Wald	13,250.00	
Total: $	292,250.00	**Total: $** [redacted]

*City will take any sandstone foundation stone and remove it from the site, when ready to be picked up, to be used at Riverside Park.

INDEPENDENCE
KANSAS

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

Blake Stutzman
Name of Bidder (Printed)

1896 E Road 14 Ulysses, Kansas 67880
Address

Blake Stutzman
Signature

03/05/2025
Date

SouthWest Dirt & Landscape LLC
Title

(620) 453-0656
Contact Phone Number

bstutzman@southwestdirt.com
Email

Report
CITY OF INDEPENDENCE
March 13, 2025

Department **Finance** | **Director Approval** **Lacey Lies**

AGENDA ITEM 4th Quarter Treasurer's Report

BACKGROUND

SUPPORTING DOCUMENTS

1. 4Q 2024 TREASURER'S REPORT

Treasurer's Quarterly Financial Statement for Quarter Ending December 31, 2024

Name of Fund		Beginning Balance	Receipts	Disbursements	Ending Balance
General	1	2,206,918.89	2,312,054.50	2,538,189.63	1,980,783.76
Opioid Abatement	2	52,501.13	542.50	0.00	53,043.63
Fire Insurance Proceeds	3	37,779.94	9,150.00	9,150.00	37,779.94
Industrial	4	(188.54)	610.86	0.00	422.32
Crime Prevention Program	5	589.88	0.00	0.00	589.88
Economic Development/Transportation	6	1,094,650.69	167,596.44	5,524.20	1,256,722.93
Alcohol Assessment	7	3,820.00	0.00	0.00	3,820.00
E-911 - New	8	274,842.94	37,954.25	14,825.17	297,972.02
Incubator Building	9	124,605.08	6,190.00	0.00	130,795.08
KPWSLF Proj No 2933 - WTP	10	(13,558.56)	0.00	0.00	(13,558.56)
Education Sales Tax	11	238,478.43	842,326.88	680,539.18	400,266.13
Capital Project Reserve	12	583,643.61	5,528.15	77,805.00	511,366.76
2023-2033 Special Use Sales Tax	13	0.00	842,326.89	842,326.89	0.00
City Projects	14	679,393.82	634,110.78	106,783.17	1,206,721.43
City Skate Park	15	4.64	0.00	4.64	0.00
Special Use Sales Tax	17	20,703.27	15,000.00	35,703.27	0.00
Logan Fountain	19	124.37	0.00	0.00	124.37
KPWSL #3058 - Waterline	20	(110,035.89)	462,995.87	511,434.65	(158,474.67)
Airport Capital Projects Reserve	21	218,897.11	169,030.99	64,039.17	323,888.93
Street Capital Projects Reserve	22	2,715,030.61	451,637.90	1,141,613.44	2,025,055.07
KWPCRF LOAN C20 2043 01	23	(1,375,349.19)	0.00	0.00	(1,375,349.19)
Fire/EMS Grants	24	7,454.86	0.00	5,107.32	2,347.54
City Grant Program	25	399,095.56	21,946.58	57,200.00	363,842.14
G. F. Employee Benefits	26	514,558.36	815.40	515,373.76	0.00
Special Highway	27	0.00	187,424.17	187,424.17	0.00
Airport	31	(15,012.64)	237,613.10	171,129.94	51,470.52
Water and Sewer	33	2,364,622.52	1,581,168.85	1,168,993.15	2,776,798.22
Grinder Pump Replacement	34	306,099.01	5,414.72	0.00	311,513.73
Cap Infastructure - W/S	35	5,114,058.83	89,731.30	31,788.64	5,172,001.49
Sanitation	37	372,645.57	318,181.38	332,919.81	357,907.14
Independence Land Bank	38	34,160.94	1,356.34	0.00	35,517.28
Special Park	40	69,817.89	7,884.99	6,123.40	71,579.48
Employee Wellness	41	61,163.19	5,045.81	3,972.00	62,237.00
Library	42	18,864.37	5,664.68	24,529.05	0.00
Downtown Tree Replacement	43	16,626.40	171.80	0.00	16,798.20
Special Park & Recreation	44	84,310.06	10,680.08	9,793.60	85,196.54
Special Alcohol Programs	45	109,088.37	9,841.61	0.00	118,929.98
Demolition	46	6,306.29	14,396.00	17,625.00	3,077.29
Liability Insurance	47	132,154.52	8,909.14	316.00	140,747.66
E-911 - Old	65	4,696.52	0.00	0.00	4,696.52
Memorial Hall Tax Credits	66	14,645.05	0.00	0.00	14,645.05
Quality of Life Sales Tax	67	14,120.71	0.00	14,120.71	0.00
First Aid Training	72	1,149.07	11.88	0.00	1,160.95
ADA DJ # 204-29-144	74	740,799.43	0.00	0.00	740,799.43
KLINK, Penn/Chestnut-Oak	76	34,942.78	0.00	0.00	34,942.78
Law Enforcement Trust	79	13,512.24	145.71	0.00	13,657.95
Grant - Walmart - Fire/EMS	84	3,046.18	0.00	0.00	3,046.18
Bond and Interest	91	(52,326.38)	1,128,842.27	246.58	1,076,269.31
2015-2016 KLINK Projects	92	318,879.31	0.00	0.00	318,879.31
Grant Funds	94	(159,897.44)	2,678,445.05	80,398.75	2,438,148.86
Bartlett Project	96	3,133,359.89	796,773.02	2,982,343.16	947,789.75
Housing Authority Funds **	979-995	4,195,503.97	439,933.74	521,359.25	4,114,078.46
TOTAL		**24,611,297.66**	**13,507,453.63**	**12,158,702.70**	**25,960,048.59**
Reconciled Items					**$ -**
TOTAL					**25,960,048.59**

Summary

Community Nat'l. Bank	Checking	13,533,053.50
Community Nat'l. Bank	C/D's	12,426,995.09
		0.00
	TOTAL	**25,960,048.59**

Treasurer's Quarterly Financial Statement for Quarter Ending December 31, 2024

Liabilities	Principal	Interest	Total
Series 2015A	855,000.00	91,800.00	946,800.00
Series 2016A	480,000.00	21,750.00	501,750.00
Series 2019A	570,000.00	25,800.00	595,800.00
Series 2022A - Streets	3,260,000.00	1,207,562.50	4,467,562.50
Series 2022A - Facilities	9,555,000.00	3,537,906.36	13,092,906.36
Series 2023 Temporary Notes - Pipeline Project	10,000,000.00	350,000.00	10,350,000.00
Series 2024 Temporary Notes - Central Park	4,565,000.00	456,500.00	5,021,500.00
Bonds & T-Notes Payable - June 30, 2024	29,285,000.00	5,691,318.86	34,976,318.86

Capital Leases	Payoff Date	Balance
Commercial Bank - JD Tractor & Bush Hog	April 1, 2025	9,532.06
Community National Bank - 2021 Street Sweeper	March 1, 2025	21,609.21
Community National Bank - 2019 Rosenbauer Fire Truck	April 1, 2026	185,517.80
Community National Bank - 2023 Sanitation Truck	October 17, 2027	122,222.19
Commercial Bank - 2024 Sanitation Truck	July 25, 2029	395,637.00

Kansas Public Water Supply/Pollution Control Loan Funds	Balance
Loan # C20-1915-01, Southeast Lift Station	1,647,728.33
Loan #2933 Water Treatment Plant Upgrades	1,587,361.44
Loan #3058 Replace Waterlines and Automated Meters	3,776,894.00
Loan # C20-2043-01, Lakeview Lift Station and Basin V, Phase 2	
TOTAL	**42,722,820.89**

I, David Schwenker, Treasurer, do hereby certify that the above statement is correct to the best of my knowledge and belief.

David Schwenker, Treasurer

Attested by:

Lacey R. Lies, Director of Finance

Report
CITY OF INDEPENDENCE
March 13, 2025

Department City Clerk **Director Approval David Schwenker**

AGENDA ITEM City Board Minutes

BACKGROUND

SUPPORTING DOCUMENTS

1. January 27, 2025 IHPRC Minutes
2. February 4, 2025 PZ Minutes
3. February 26, 2025 City Rec Board Minutes
4. February 26, 2025 Library Board Minutes

January 27, 2025
Independence Historic Preservation Resource Committee

Members Present: Darin Axthelm, Tim White, Jason Rutledge, Brea Sanford, Brent Richards
Absent Members: Gary Hoggset, Bill Gour
City Staff: David Cowan
Ex Officio: Brian McHugh

Special Guest: Phil Fienen and Jason Elmore

Darin Axthelm called the meeting to order at 12:00 p.m.

Brea Sanford motioned to accept the minutes of the January 8 meeting as presented. Jason Rutledge seconded the motion and all were in favor.

Action Items

A.) Certificate of Appropriateness for a mural at 224 West Main Street

Fienen provided renderings of a western-facing mural depicting a large bald eagle with outstretched wings flying through a blue sky. To the bottom of the picture are the various emblems of the military, as well as small medallions representing the branches of the military. City staff has no qualms with the mural, as the building is a non-conforming structure within the Historic district. The wall in question has been painted white and sealed, according to Fienen. He went on to explain that some changes will be made in the design of the badges. He wants to get the project started as soon as weather allows muralist Chase Hunter to come and work on it. Chase wants to do a patriotic push through Kansas and wants to use this project to start off with.
Tim White asked about the VFW mural rejection that happened a few years ago. Cowan stated that it was rejected due to the size was not within regulation and was considered an advertisement.
Fienen is not relying on grants for this project and is paying for it himself and thinks that, at one point, he would like to install an informational kiosk.
Axthelm discussed his displeasure regarding the painting of brick and murals in general. He feels that murals are a distraction and that Fienen's idea would not encompass the entire community.
Tim White motioned to approve the Certificate of Appropriateness with final agreement of the subject of the mural. Brea Sanford seconded the motion and all but Axthelm were in favor.

B.) Sign Permit and Certificate of Appropriateness
Elmore shared that he feels his business would benefit from the signage as many cannot see the vinyl sign on his front glass. Wright Signs will be tasked with the job. It will be a "shingle" type hanging sign like a few others downtown. Tim White motioned to accept the request as presented.

C.) Memorial Hall Theatre Flooring
It had been bought to McHugh's attention that the floor of the stage in Memorial Hall's auditorium is deteriorating. The HVAC system is failing and it will cost $400-500,000 to replace it. The City is currently applying for grants to do so.
The floors of the stage can be repaired and repainted or restained. He also suggested filling any in a pits or gouges with wood filler and covering the expose with poly filler.
Axthelm asked if there was some kind of removable flooring that could be used when appropriate, and McHugh mentioned there was such a product.
Brea Sanford suggested that Patton get back together with McHugh and brainstorm more ideas on how to protect the stage, or to sand everything down, repair, stain and apply a matte gloss. Darin suggested going to SHipo to find other comparable projects and see how they handled them.
Jason Rutledge made a motion to accept letting the City officials make the decision with their best guidance. Tim White seconded the motion and all were in favor.

Discussion
The CDBG bookstore remodeling has started. Estimated to be done by May.

Tim White motioned to adjourn the meeting at 12:41 p.m. Jason Rutledge seconded the motion and all were in favor.

Minutes of the Planning and Zoning Commission/Board of Zoning Appeals's February 4, 2025 Meeting

I. Call to Order

Present: Rachel Lyon, Brett Gilcrist, Lisa Richard by phone, Gary Hogsett, Butch Holum, Kym Kays, Rita Ortolani

Absent: Michelle Anderson, Tim Haynes

City Staff Present: Kelly Passauer, City Manager/Zoning Administrator; David Cowan, Assistant City Manager; David Schwenker, City Clerk; Jeff Chubb, City Attorney and Kayla Schabel, Executive Assistant

Guests: Larry McHugh, Doug Fienen and Chris Shires by phone

Chairperson Lyon called the meeting to order.

a. Reorganization

1. Election of Chair
2. Election of Vice Chair
3. Election of Secretary

A Reorganization of Officers is generally held at the January meeting of each year. Due to vacancies that were not filled we delayed reorganization until the February meeting. We have a new member, Brett Gilcrist who replaced Mary Jo Dancer whose second term has expired. We wish to welcome Brett and thank Mary Jo for her service.

Motion:
On the motion of Kym Kays, seconded by Butch Holum, the Commission nominated Rachel Lyon for Chair.

Aye: Rachel Lyon, Brett Gilcrist, Gary Hogsett, Butch Holum, Kym Kays, Rita Ortolani, Lisa Richard
Nay: None

Motion:
On the motion of Gary Hogsett, seconded by Rita Ortolani, the Commission nominated Lisa Richard for Vice Chair.

Aye: Rachel Lyon, Brett Gilcrist, Gary Hogsett, Butch Holum, Kym Kays, Rita Ortolani, Lisa Richard

Nay: None

Motion:
On the motion of Rita Ortolani, seconded by Rachel Lyon, the Commission nominated Kym Kays for Secretary.

Aye: Rachel Lyon, Brett Gilcrist, Gary Hogsett, Butch Holum, Kym Kays, Rita Ortolani, Lisa Richard
Nay: None

b. Orientation by the City Attorney.

City Attorney Chubb reviewed the open meetings laws and bylaws of the commission.

II. Minutes

a. Consider approving minutes of the January 7, 2025 meeting.

Motion:
On the motion of Gary Hogsett, seconded by Rita Ortolani, the Commission approved the minutes as presented.

Aye: Rachel Lyon, Brett Gilcrist, Lisa Richard, Gary Hogsett, Butch Holum, Kym Kays, Rita Ortolani
Nay: None

III. Board of Zoning Appeals (Does not include outside City appointments)

a. Public Hearing to receive comments on a variance request to reduce the setback(s) in an R-3 residential lot, as to allow for the construction of an open wall carport at 312 South 5th Street.

Case Number: 2025VAR01
Applicant/Owners: Douglas Fienen & Susan Fienen
Property Address: 312 South 5th Street, Independence, KS 67301

REQUEST

The applicants request a variance to reduce the required setback(s) in an R-3 Low Density Multifamily Residential District to allow for the construction of an open wall carport on their property.

PROPERTY DESCRIPTION & ZONING

- **Legal Description: ORIG PLAT, S31, T32, R16, BLOCK 76, Lot 6 & 7, ACRES 0.37, Lot Width: 120.0 Lot Depth: 140.0 Plat Book/Page 1 /6&7 Deed Book/Page 730 /583 482 /513 470 /503 352 /047.**
- **Zoning District: R-3, Low Density Multifamily Residential District**
- **Surrounding Uses: The subject property is surrounded by other residential properties within the R-3 district.**
- **Current Use: Single-family residential dwelling**

CODE REQUIREMENTS

Under Section 504.6 of the City Code, the required minimum yard setbacks for the R-3 district are:

- **Front Yard: 25 feet**
- **Side Yard: 8 feet**
- **Rear Yard: 10 feet**
- **Accessory Structure Regulations: No accessory structures shall be erected in any required front or side yard and must maintain at least 10 feet from the rear lot line (unless modified by variance). Carports are a permitted accessory use under Section 607.2.**

Doug Fienen presented his case for the variance.

Motion:
On the motion of Butch Holum, seconded by Rachel Lyon, the Commission approved the variance request 2025VAR01 for 312 South 5th Street, reducing the required rear setback from 10 feet to 1 foot to allow for the construction of an open wall carport, as presented in the staff report.

Aye: Rachel Lyon, Brett Gilcrist, Lisa Richard, Gary Hogsett, Butch Holum, Kym Kays, Rita Ortolani
Nay: None

IV. Planning Commission

a. Worksession on Zoning Code Update.

This is a continuation of the work session from December and January, and no action is anticipated. The consultant will be available virtually to review

these drafts with the Planning Commission.

V. Discussion

VI. Adjournment

Motion:
On the motion of Gary Hogsett, seconded by Butch Holum the Commission adjourned the meeting.

Aye: Rachel Lyon, Mary Jo Meier, Lisa Richard, Gary Hogsett, Butch Holum, Kym Kays, Rita Ortolani
Nay: None

Rachel Lyon, Chairperson

Lisa Richard, Vice-Chair

INDEPENDENCE RECREATION COMMISSION

Monthly Meeting February 26, 2025

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

Members Present:	**Others Present:**
Christy Mavers	Brent Julian
Joseph Housel	Lori Bromley
Dustin Woodward	Nick McBride
Moises Rivera	Jim Butts
	Galen Palmer

Christy Mavers opened the commission meeting at 11:30 a.m.

ROUTINE

Agenda
Dustin Woodward moved to approve the agenda as printed. Joe Housel seconded. Motion carried 4-0.

Minutes
Dustin Woodward moved to approve the minutes from the January 15, 2025 board meeting. Moises Rivera seconded. Motion carried 4-0.

Bills
Dustin Woodward moved to approve the February 2025 invoices and checks for payment as presented in the amount of $7,425.70 as well as bills and employee benefits paid since the last board meeting in the amount of $8,089.01. Joe Housel seconded. Motion carried 4-0.

Treasurer's Report
Galen Palmer reported the following bank balances as of January 31, 2025: First Oak Bank - Checking: $26,373.24; First Oak - Petty Cash: $500.00; Equity Bank - Savings $807.97. Brent reminded the board that First Oak Bank will be pulling the money from IRC's account to pay back the $50,000 loan borrowed last month. Brent stated the total amount of the loan with interest will be approximately $50,785. Joe Housel moved to approve the treasurer's report as presented. Moises Rivera seconded. Motion carried 4-0.

<u>PROGRAMS/OPERATIONS</u>

Maintenance Report

Brent informed the board that tomorrow is Jim's last day of employment with IRC as he will retire after 24 years of service. Brent invited the board members to stay after the meeting for refreshments and to give Jim a warm farewell.

Programs Report

Nick McBride answered any questions the board had on the programs report. Christy Mavers stated that she was excited to hear about the potential grant for IRC through First Leadership of Independence. Nick stated that he met with Crystal, with First Leadership, and they discussed several potential ideas for the grant funds such as pitching machines, soccer goals, and catching equipment among other items. Brent discussed sports sponsorship with the commission stating that a few businesses have contacted him about sponsorship and putting their signage up at the new Sports Complex. Brent has informed them he cannot do that at this time due to the businesses that have already sponsored the fields or structures at the new facility. Brent stated he just wanted the board members to be aware in case someone contacted them as to why IRC will not put up signage.

Director/Aquatics/Special Events Report

Brent Julian answered any questions the board had on the director/aquatics/special events report. A discussion was held on the Pickleball leagues offered at the Ash Center and are continuing to do well. Brent stated that lifeguard classes for summer will be held at the Ash Center in April and May.

BUSINESS/FINANCE

Central Park Sports Complex Update

Brent informed the commission that they have started Phase II of the Central Park Sports Complex project. Brent stated that Crossland Construction did get the bid, and they have started leveling off the big baseball field and parking lot on the east side of the complex. Brent informed the board that there has been more vandalism, this time someone did donuts on the multi-use field on the south side of the complex tearing up the newly planted grass. Brent stated we have talked about putting up several security cameras at the complex but did not want to take on that expense at this time. Brent stated he attended a CPSC meeting and what he thought would most likely be August 2025 for IRC to take over the complex maintenance is now April 1, 2025. Brent stated IRC will be responsible for mowing, weed eating, cleaning, and fertilizing as well as taking over the grass on the soccer fields. Brent stated that the plan is to have the soccer fields ready by fall of 2025. Christy Mavers suggested putting up some beams around the multi-use field to keep people from driving on it. The board asked what the multi-use field will be used for, and Brent stated the main purpose is flag football as well as an extra practice field, which is always needed and other uses that may come up.

Audit/Auditors Presenting
Brent informed the commission that Jarred, Gilmore & Phillips, P.A. out of Chanute has completed IRC's annual audit for fiscal year 2024. Brent stated that he has invited them to the March 19th board meeting to present the audit and answer any questions the board may have. Brent stated he does not foresee any major changes or deficiencies.

Open Positions
Brent handed out a job description for the IRC Maintenance Supervisor position as well as an hourly wage guideline that he feels is adequate. Brent stated that with Jim's retirement and the fact that IRC is having to help with the Central Park Sports Complex sooner than anticipated, he feels he needs to move quickly in filling the spot. Brent stated depending on experience, the salary range he is looking at is between $15-$25 per hour, ideally about $22.50 per hour or $45,000 per year. Brent stated that he has spoken to Ethan Speicher about accepting the position since he has experience in many of the areas Brent is looking for and has worked for IRC maintenance the past few summers. Brent stated that if Ethan were to accept the position, he would not be able to start until late May after school is out, leaving about a two and half month gap in March, April and part of May. Christy suggested hiring TLC to help take care of the interim at the sports complex. The board agreed that the salary should represent the experience of the individual and how much outsourcing will be required. Dustin Woodward suggested seeing what the school's maintenance supervisor makes as a guide as well as the park supervisor, just to get an idea. Christy informed the board members that she thinks it is a good idea to compensate Brent and Nick, or anyone else filling in as interims for the maintenance position until it can be filled. Christy stated she would like the board to discuss compensation at the next board meeting.

Jim's Retirement
Brent thanked Jim for all his hard work through the years and stated that he is very appreciated and will be deeply missed. Christy Mavers thanked Jim for his 24 years of service to IRC and asked the board to stay for cake and cookies.

<u>EXECUTIVE SESSION</u>

There was no need for an Executive Session

ITEMS FROM THE COMMISSION

There were no items from the commission.

ADJOURNMENT

The meeting was adjourned at 12:30 p.m.

Respectfully Submitted,

Joseph Housel
Secretary

INDEPENDENCE PUBLIC LIBRARY

Board of Trustees Regular Meeting

February 26, 2025

REGULAR SESSION

Board Members Present: Michelle Avery, Chairman: Tom Sewell, England Porter, Ron Schwatken and Andy Taylor

Also Attending: Library Director, John Long and Recording Secretary Gloria McCoy

I CALL TO ORDER: The regular session was called to order at 5:20 p.m. by Chairman, **Michelle A.**

- **Adoption of Agenda**: **England P. moved** and **Ron S**. **seconded** to approve the agenda as printed**. Motion carried**.
- **Approval of Minutes**: **England P. moved** and **Ron S. seconded** to approve the minutes of the last meeting**. Motion carried**.

II CONSENT OF AGENDA: The Consent of Agenda was **adopted** as presented.

- **Approval of Accounting** for the previous month was **adopted** as presented.
- **Approval of Bills** for previous month was **adopted**. Total expense for bills for month of **January** was **$57,176.52.**

III REPORTS

A. Finances/Accounting

- Unemployment audit has been submitted.
- City check and the school district check was received and deposited.

B. Library Fundraising

- **The House of Cheesecake & Topping** fundraiser done on Valentine’s Day was good. We made about $310. Plan to do it again for the **Mid-Summer Night Dream** theme in the summer.

IV OLD BUSINESS: NONE

V NEW BUSINESS:

- **State/Federal Funding:** Board member inquired about Federal funding that library may receive. Library Director stated that the library only received federal monies through grants.

VI STAFF UPDATES:

A. STAFF REPORTS:

- **Library Director John L**., and **Youth Coordinator, Amanda C.** attended First Friday at the Memorial Hall. All staff is invited to attend. It is very informative.

B. LIBRARY PRESENCE IN THE COMMUNITY

- **Board member Tom S.** stated that he has heard many good things about Youth Coordinator, **Amanda Carr**.

VII COMMENTS FROM MEMBER OF THE BOARD

- **911 CALL –** a call was initiated by Youth Coordinator due to a patron appearing to having a seizure. EMS arrived and patron was reportedly doing ok after being check out.

VII ADJOURNMENT: Meeting was adjourned at 5:45 p.m. The next meeting is planned for Wednesday 19 March 2025.

RON SCHWATKEN **DATE OF APPROVAL**