

Minutes of the City Commission's June 11, 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; Jeff Chubb, City Attorney; David Schwenker, City Clerk/City Treasurer; April Nutt, Director of Housing Authority; John Garris, City Engineer/Director of Public Works; Jordan Bagley, IT Technician Coordinator; Dustin Stafford, Chief of Police and Lacey Lies, Finance Director.

Visitors Present: Larry McHugh.

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 Dean Hayse, seconded by Tim Emert, the Commission adopted the agenda.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

II. APPOINTMENTS

A. Opening on the Planning Commission/Board of Zoning Appeals -- Must Reside In the City Limits

The City of Independence has an opening on the Planning Commission / Board of Zoning Appeals (BZA) due to a resignation. This board plays a crucial role in shaping the community's growth and land use by reviewing zoning applications, conditional use permits, variances, and making recommendations on rezoning and text amendments to the zoning ordinance.

Minutes of the City Commission's June 11, 2025 Meeting

The Planning Commission is composed of nine members who serve staggered three-year terms and are appointed by the City Commission. The appointed member will also serve concurrently on the Board of Zoning Appeals, which is empowered to hear and decide appeals or requests for variances from the requirements of the zoning code.

The dual-role structure ensures consistency and efficiency in land use decision-making. Members are expected to review agenda materials, participate in monthly meetings, and apply sound planning principles when making recommendations or decisions.

One application from a resident who resides within the City limits was received by the June 6, 2025 deadline. The appointed individual will fill the remainder of the vacant term, which expires on January 1, 2028, and may be eligible for reappointment.

Motion:

On the motion of Scott Smith, seconded by Tim Emert, the Commission appointed Anita Chappuie to the Planning Commission/Board of Zoning Appeals due to a vacancy, and such term will expire on January 1, 2028.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

B. Opening on the Recreation Commission -- Must Reside In the City limits

The City of Independence currently has an open seat on the Recreation Commission due to an upcoming term expiration on July 1, 2025. The Recreation Commission plays a vital role in advising and supporting the development and operation of recreational programs and facilities within the community.

The Recreation Commission consists of five members who serve staggered four-year terms and work in collaboration with the City and the school district to ensure a wide range of quality recreational opportunities are available to citizens of all ages. Members are expected to attend regular meetings, participate in planning initiatives, and provide input on programming, budgeting, and long-term goals for the Recreation Center and related services.

Five (5) applications were received by the deadline of noon, June 6, 2025. The appointee must reside within the City limits.

Motion:

Minutes of the City Commission's June 11, 2025 Meeting

On the motion of Scott Smith, seconded by Dean Hayse, the Commission appointed Tanner McClure to the Recreation Commission for a first term beginning on July 1, 2025, and ending on July 1, 2029.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

- C. Reappointment and Opening on the Independence Library District Board of Trustees -- Must Reside In City Limits -- Applications Due by July 1, 2025

There are two terms expired on the Independence Library District Board of Trustees. One position filled by Tom Sewell has served two full terms. Therefore, the City will seek applications for this position. The other position filled by Carolyn Torrance had previously filled an unexpired term and is eligible for reappointment.

INDEPENDENCE LIBRARY DISTRICT BOARD OF TRUSTEES 4 year terms -- 7 members			
Members	Term	Expires	Appointed
Tom Sewell	2nd term*	May 1, 2025	11/22/2016
Treasurer			6/8/2017
Michelle Avery	2nd term	May 1, 2026	4/26/2018
President			
Carolyn Torrance	Unexpired	May 1, 2025	Appointed 11/10/2022
Andy Taylor	Unexpired	May 1, 2026	Replaced Bill Kelly 4/27/2023
Ronald Schwatken	1st term	May 1, 2025	7/13/2020
Secretary	USD 446 Rep		
Vacant	Unexpired	May 1, 2023	
	Elk City Rep		
England Porter	Unexpired	May 1, 2025	
	USD 446 Rep		
* Previously served unexpired term			
Meeting Place: Centennial Room, Library			
Meeting Date: Third Wednesday			
Meeting time: 4:15 p.m.			

City staff is currently accepting applications from interested individuals who wish to serve on the Independence Library District Board of Trustees. The deadline to apply is July 1, 2025, and the appointee must reside within the City limits. For more information or to apply: [Click Here](#)

Motion:

On the motion of Scott Smith, seconded by Dean Hayse, the Commission reappointed Carolyn Torrance to a first full term on the Independence Library District Board of Trustees expiring on May 1, 2029.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

- D. Reappointments and Opening on the Park Board -- Can live inside or outside the City -- Applications due by July 1, 2025

Minutes of the City Commission's June 11, 2025 Meeting

Three terms on the Park Board will expire on July 1, 2025. Two are eligible for reappointment: **Steve McBride and Edward Epp.**

PARK BOARD (3 year terms – 9 members)			
Members	Term	Expires	Appointed/Reappointed
Angie Musgrove	1st term	July 1, 2027	7/25/2024
David Fritzmeier	1st term	July 1, 2027	7/25/2024
Matt Housef (Outside City)	1st term	July 1, 2027	7/25/2024
Steve McBride	1st term*	July 1, 2025	12/9/2021
Edward Epp	1st term	July 1, 2025	6/23/2022
Jim Hogan (Outside City)	2nd term*	July 1, 2025	6/8/2017
Leslie Coder	1st term	July 1, 2026	8/10/2023
Breanne Sanford	1st term	July 1, 2026	8/10/2023
Barb Beurskens (Outside City)	Unexpired	July 1, 2026	7/25/2024
	FORPAZ	Ex-officio	
	City Rec	Ex-officio	
* Previously served unexpired term			
Meeting Place: Tennis Club House			
Meeting Date: First Monday			
Meeting Time: 5:30 p.m.			

Applications are being received until July 1, 2025 for Jim Hogan's position, who has served two full terms. The Park Board meets on the first Monday of the month at 5:30 PM. To learn more about the Park Board, visit this link: [Park Board](#) To apply: [Click Here](#)

Motion:

On the motion of Scott Smith, seconded by Tim Emert, the Commission reappointed Steve McBride and Edward Epp to 2nd terms on the Park Board expiring on July 1, 2028.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

E. Reappointments and Openings on the Tree Board -- Applications Due by July 1, 2025

Five terms have expired on the Tree Board. Two are eligible for reappointment: **Amy Hilyard and Leslie Woods**

Three terms have served two full terms or more: **Michelle Avery, Leslie Fox, and England Porter**

Applications will be received through July 1, 2025. For more information or to apply, [click here](#).

Minutes of the City Commission's June 11, 2025 Meeting

TREE BOARD (2 year terms for appointments before 2/8/2024 then 4 year terms – 7 members)			
Members	Term	Expires	Appointed/Eligible
Twila Hawthorne	4th term	6/1/2028	1/24/2019
Anita Chappue	1st term	6/1/2028	Reappointed 05/23/2024
Michelle Avery	5th term	6/1/2025	6/8/2017
Amy Hilyard	1st term*	6/1/2025	Appointed 10/13/2022
Leslie Fox	5th term	6/1/2025	6/8/2017
England Porter	3rd term	1/1/2025	3/28/2019
Leslie Woods	1st term	1/1/2025	3/9/2023
			Replaced William MacRae
Meeting Place: Veterans Room, Memorial Hall			
Meeting Date: By appointment			
Meeting Time: By appointment			

Motion:

On the motion of Scott Smith, seconded by Dean Hayse, the Commission reappointed Amy Hilyard and Leslie Woods to second terms on the tree board, with Amy's term expiring on June 1, 2029, and Leslie's term ending on January 1, 2029.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

F. Reappointment and Opening on the Landbank -- Applications due by July 1, 2025

Two terms have expired on the Landbank: Jeri Hammerschmidt and Lisa Richard

Jeri is eligible for reappointment, while Lisa has served two full terms.

LANDBANK (3 year terms – 7 members)			
Members	Term	Expires	Appointed
Jeri Hammerschmidt	1st*	June 1, 2025	Appointed 2/24/2022
Lisa Richard	2nd	June 1, 2025	Appointed 5/13/2021
Shelley Hudson	2nd	June 1, 2026	Two Years Appointed 5/13/2021
Mary Jo Wallis	2nd	June 1, 2026	Two Years Appointed 5/13/2021
Lori Wesselowski	2nd	June 1, 2027	Three Years Appointed 5/13/2021
John Heckman	2nd	June 1, 2027	Three Years Appointed 5/13/2021
Gary Hogsett	2nd	June 1, 2027	Three Years Appointed 5/13/2021
Meeting Information: 1st Thursday at Noon at City Hall			

Applications will be received through July 1, 2025 for this opening. For more information or to apply, [click here](#).

Motion:

On the motion of Scott Smith, seconded by Tim Emert, the Commission reappointed Jeri Hammerschmidt to a second term on the Landbank expiring on June 1, 2028.

Minutes of the City Commission's June 11, 2025 Meeting

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

G. Farmers and Makers Market Reappointments

Three terms have expired on the Farmers and Makers Market. All three are eligible for reappointment and have agreed to be reappointed:

FARMERS AND MAKERS MARKET (4 year terms – 3 members)			
Members	Term	Expires	Wishes to be Reappointed
April Nutt (City)	1st	6/1/2025	Yes
Lisa Wilson (Chamber)	1st	6/1/2025	Yes
Tabatha Snodgrass (Main St.)	1st	6/1/2025	Yes
Meeting Information: TBD			

Motion:

On the motion of Scott Smith, seconded by Dean Hayse, the Commission reappointed April Nutt, Lisa Wilson, and Tabatha Snodgrass to the Farmers and Makers Market board for a second term ending on June 1, 2029.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

III. CONSENT AGENDA

Motion:

On the motion of Dean Hayse, seconded by Tim Emert, the Commission approved the consent agenda.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

A. Consider approving minutes of the April 24th, May 8th, and May 22nd, 2025 meetings.

Suggested Motion:

I move to approve the minutes of the April 24th, May 8th, and May 22nd, 2025 Commission meetings.

Minutes of the City Commission's June 11, 2025 Meeting

- B. Consider approving change orders from Crossland Construction for the Central Park Sports Complex Phase 2 contract.

PCO-03 relates to the costs incurred to trench and install 2" galvanized conduit for new underground electricity to the Concessions building and PCO-04 creates a master key system for the complex.

Suggested Motion:

I move to approve PCO-03 and PCO-04.

- C. Consider approving an administration agreement with SEKPRC for grant administration services surrounding CDBG Grant.

City staff have been working with the Southeast Kansas Regional Planning Commission (SEKRPC) to apply for a Community Development Block Grant, which would fund a significant portion of the playground renovation at Riverside Park. The City Commission approved the grant application during its May 8 meeting.

An administrative agreement has been proposed, under which the SEKPRC would provide grant administration services and assist city staff in meeting all project requirements and documentation needs. This contract would only take effect if the City is awarded the grant funds. If the grant is not awarded, the agreement becomes null and void.

Suggested Motion:

I move to approve the administration agreement with SEKPRC for grant administration of the CDBG Grant.

- D. Consider a request from the First Baptist Church for the closure of the 100 block of East Magnolia Street between Penn Avenue and 6th Street on July 4th between 6 PM and 10 PM.

Zara Davy, Pastoral Assistant for First Baptist Church, has submitted a request to the City to close the 100 block of East Magnolia Street on July 4, 2025. The church plans to host its annual Fourth of July Picnic during this time.

A residence at 301 S. 6th Street has a driveway on Magnolia. City staff has contacted the property owner regarding the proposed closure.

Minutes of the City Commission's June 11, 2025 Meeting

Barricades will be placed at the intersections of Penn and Magnolia and 6th and Magnolia. First Baptist Church will be responsible for setting up and removing the barricades before and after the event.

Suggested Motion:

I move to close Magnolia between Penn Ave and Sixth Street on July 4th between 6 PM and 10 PM.

- E. Consider approving a Downtown Independence Building Grant for 103 & 105 W. Main Street submitted by Anthony Vowell.

Anthony Vowell has applied for the Downtown Independence Building Grant for a roof replacement for 103-105 W. Main Street. The anticipated budget for the project is \$40,250.00.

Suggested Motion:

I move to approve a Downtown Independence Building Grant in the amount of \$10,062.50 for Anthony Vowell, for the property located at 103-105 W. Main Street. I further move to authorize staff to approve additional funding, if necessary, to cover increased roof replacement costs identified during the course of the project, provided the total grant amount does not exceed 25% of the total project cost and is capped at a maximum of \$25,000.

- F. Consider issuing bid documents for the 2025 Mill and Overlay Project.

Annually, the City plans to mill and overlay a portion of the streets to maintain adequate driving surfaces. The primary focus is on major streets that receive significant amounts of traffic, and Maple Street from 10th to 17th is an area that receives significant traffic but has pavement failure evident in multiple locations. Also included in the bid quantities are enough milling and paving to rehab that segment of Pine Street from 10th to 11th.

Suggested Motion:

I move to approve issuance of bid documents for the 2025 Mill and Overlay Project.

IV. PUBLIC HEARING

- A. Public hearing for the purpose of determining whether a portion of North 5th Street north of Sycamore Street should be vacated.

Matthew Debo, resident of 220 E. Sycamore Street, has submitted a request to the City Commission to vacate the segment of North 5th Street that lies adjacent to his residence. The concern raised by Mr. Debo and nearby neighbors pertains to increased foot traffic in the area, with individuals reportedly parking along this section of the street and walking behind homes along the existing tree line. This has resulted in privacy and security concerns among the adjoining property owners.

City staff conducted a review of the site and confirmed that the subject segment of North 5th Street currently contains active utility infrastructure and provides essential access for utility maintenance and service. Therefore, complete abandonment of this right-of-way is not feasible. However, City staff supports the proposal to vacate the public street designation and instead convert the area into a dedicated utility easement.

To address the concerns of both utility access and unauthorized public use, the City recommends blocking vehicular access at the intersection of North 5th Street and Sycamore Street. This measure would eliminate through traffic and deter parking along the vacated area while preserving the necessary access for utility operations.

It should be noted that if adjoining property owners wish to utilize the easement for private vehicular access to their properties, they must do so in compliance with applicable City codes. Specifically, the easement must be improved with a hard surface capable of supporting vehicular traffic. The City recognizes that there are multiple hard-surfacing options available, including cost-effective alternatives, and encourages property owners to consult with the Zoning and Building Department for approved materials and construction standards.

Motion:

On the motion of Tim Emert, seconded by Dean Hayse, the Commission adopted an ordinance vacating a portion of North 5th Street north of Sycamore Street while maintaining a utility easement.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

V. ITEMS FOR COMMISSION ACTION

- A. Consider a resolution authorizing and providing for improvements included in the multi-year Capital Improvement Plan for the City of Independence, Kansas; and providing for the payment of the costs thereof; and consider a resolution

Minutes of the City Commission's June 11, 2025 Meeting

authorizing the offering for sale of general obligation bonds, Series 2025-B, of the City of Independence, Kansas.

The 2018 Community-Based Strategic Plan identified public infrastructure as a top priority for the City. Specifically, Strategic Directive 2 – Infrastructure includes the key initiative to “make decision on City Hall and Public Safety facilities to address the long-term facilities needs of the City”.

Significant progress has since been made:

- **Fire/EMS: The expanded apparatus bay and new station was completed in February of 2023.**
- **City Hall: The renovated 1916 City Hall reopened in September of 2023.**

Following the 2021 strategic planning session, a framework was established to define the scope, assess needs, determine a location, and engage an architect to begin the process of design for a new Public Works facility. This initiative would replace existing aging facilities, allow the centralization of labor, increase efficiencies, decrease duplication of tools and equipment, and positively impact employee morale, recruitment, and retention.

In June of 2022 the architect’s preliminary design estimated total construction project costs from \$4.3 million to \$4.7 million. Subsequently, this project was entered into the City’s five-year capital improvement plan at a reduced estimate of \$2.5 million with the intention of looking at cost savings and inputs of the estimates.

Since then, the City Engineer has been actively seeking cost-effective alternative solutions and has recommended the next step of authorizing the sale of bonds, which will provide \$2 million for this capital improvement project. The bonds would be amortized by enterprise funds (not tax dollars).

If the bond authorization is approved, the City Engineer will begin preparing any necessary next steps to advance the project, which will be presented for future Commission consideration.

Motion:

On the motion of Dean Hayse, seconded by Tim Emert, the Commission adopted Resolution No. 2025-024 authorizing and providing for improvements included in the multi-year Capital Improvement Plan for the City of Independence, Kansas, and providing for the payment of the costs thereof.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

Motion:

On the motion of Dean Hayse, seconded by Tim Emert the Commission adopted Resolution No. 2025-025 authorizing the offering for sale of general obligation bonds, Series 2025-B, of the City of Independence, Kansas.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

- B. Consider adopting a resolution establishing a policy for submitting proclamation requests.**

The City periodically receives requests to issue proclamations recognizing various events, individuals, organizations, or causes. These proclamations serve a ceremonial function and offer a meaningful way for the City to express support or acknowledge achievements.

However, without a formal policy, there has been inconsistency in how requests are evaluated, the format in which they are received, and the timing of their presentation. The proposed resolution outlines detailed submission requirements, limitations, restrictions, and an administrative review process to ensure that proclamation requests:

- Are submitted in a timely and complete manner,**
- Reflect values and interests consistent with those of the City,**
- Do not promote political, ideological, or discriminatory content, and**
- Are reasonably limited in frequency and scope to maintain their ceremonial value.**

Specific provisions include minimum lead times for drafting or formatting support, requirements for the requestor's attendance at the meeting, and clear exclusions for content not appropriate for City endorsement.

Motion:

On the motion of Tim Emert, seconded by Dean Hayse, the Commission adopted a resolution establishing a policy for submitting proclamation requests.

Minutes of the City Commission's June 11, 2025 Meeting

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

- C. Consider adopting an ordinance establishing a temporary moratorium on the collection of Systems Development Charges for all housing units in the City of Independence, Kansas, through December 31, 2026.

The Systems Development Charge (SDC), codified in Chapter 106, Article V of the Independence Code of Ordinances, is a one-time fee assessed at the time a customer requests a water meter installation. It is intended to help defray future expenses related to water system expansion and maintenance.

Over the past several years, the City Commission has identified housing initiatives as a primary goal for 2024 and 2025, recognizing the critical need for both workforce and market-rate housing options in the community. While the SDC serves an important financial role, it may also represent a barrier to residential development—particularly for small-scale developers and first-time builders.

By enacting a temporary moratorium on this charge for new housing units, the City aims to create a more favorable environment for residential development and incentivize construction without permanently forgoing the SDC program.

This ordinance does not affect other water or sewer connection fees or inspection-related costs, which will continue to be assessed as outlined in the City's Fee Schedule.

Motion:

On the motion of Dean Hayse, seconded by Tim Emert, the Commission adopted an ordinance establishing a temporary moratorium on the collection of Systems Development Charges for all housing units in the City of Independence, Kansas, through December 31, 2026.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

- D. Consider acceptance of the Build Kansas grant.

As a part of the capital plan for maintaining the airport, H.W. Lochner, Inc. (Lochner) has prepared the next planned project at the airport. This project was awarded last year. The FAA covers 90% of the cost of the project.

Minutes of the City Commission's June 11, 2025 Meeting

On our behalf, Lochner applied for matching funds for a portion of the work as a part of the Build Kansas grant program. This grant was awarded to the City, and will pay \$37,248 of the costs associated with the project at the airport.

Motion:

On the motion of Scott Smith, seconded by Tim Emert, the Commission authorized acceptance of the Build Kansas grant in the amount of \$37,248.00 and for the execution of any necessary documents associated with the grant.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

VI. REPORTS

A. City Board Minutes

1. May 12, 2025, Independence Historic Preservation Resource Commission Minutes.

2. April 8, 2025, Planning and Zoning Commission/Board of Zoning Appeals Minutes.

B. Appropriations

VII. CITY MANAGER'S COMMENTS

City Manager Passauer presented a list of upcoming Commission meetings.

VIII. COMMISSIONERS' COMMENTS

Commissioner Emert gave a glowing review of the Mid-Continent band and invited everyone to attend their future concerts in the park.

IX. PUBLIC CONCERNS

None.

Minutes of the City Commission's June 11, 2025 Meeting

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 Scott Smith, seconded by Tim Emert, 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, KSA 75-4319(b)(2). The open meeting will resume at 6:05 p.m. in the Commission Room of City Hall.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

The open meeting resumed at 6:05 p.m. with no action taken.

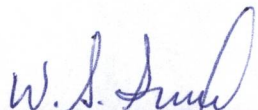
XI. ADJOURNMENT

Motion:

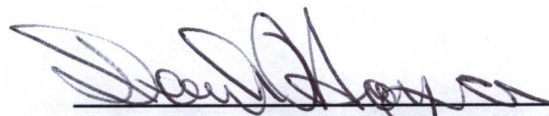
On the motion of Dean Hayse, seconded by Tim Emert, the Commission adjourned the meeting.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None



W. Scott Smith, Mayor



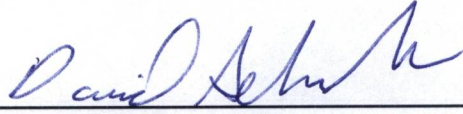
Dean A. Hayse, Commissioner



Tim Emert, Commissioner

Minutes of the City Commission's June 11, 2025 Meeting

Attest:

A handwritten signature in blue ink, appearing to read "David A. Schuch", is written over a horizontal line.

City Clerk/Treasurer