Minutes of the City Commission's July 24, 2025 Meeting

I. <u>REGULAR SESSION</u>

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; Dustin Stafford, Chief of Police; Jordan Bagley. IT Technician Coordinator; Scott Patton, Park and Zoo Director and Lacey Lies, Finance Director.

Visitors Present: Larry McHugh, Sherri Garris, Brea Sanford, Justin Donnelly and Carolyn Torrance.

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. <u>APPOINTMENTS</u>

A. Plumbing Board -- 4 terms expire August 15, 2025 -- 1 Eligible for Reappointment

We have a vacancy on the Plumbing Board. Must have a current City plumbing license to apply. Applications are due By Noon on August 7, 2025. For more information about the Plumbing Board, visit this link: <u>Plumbing Board</u>

III. <u>PRESENTATIONS</u>

A. Presentation of 2026 proposed Library Budget.

Library Director John Long has requested to present the Library's proposed 2026 budget.

B. Presentation of the 2024 Audit

Sean Gordon of Gordon C.P.A. will present the 2024 audit report of the City's finances.

IV. 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 minutes of the June 26th, July 10th and 16th, 2025 meetings.

Suggested Motion:
I move to approve the minutes of the June 26th, July 10th and 16th, 2025 Commission meetings.

B. Consider adopting Ordinance 4487 Standard Traffic and Ordinance 4488 Uniform Public Offense Code, and repeal Ordinances 4463 and 4464.

The League of Municipalities has prepared the Uniform Public Offense Code and the Standard Traffic ordinances for 2025 for cities in Kansas. The City Attorney has reviewed and has the following recommendations.

Standard Traffic Ordinance No. 4487.
The City Attorney recommends approval of Ordinance 4487, Standard Traffic Ordinance, and repealing Ordinance 4463. The latter shall take effect upon publication or August 15, 2025, whichever is later.

Uniform Public Offense Code, Ordinance No. 4488.
The City Attorney recommends approval of Ordinance 4488, Uniform Public Offense Code, with the following amendment, and repealing Ordinance 4464. The latter shall take effect upon publication or August 15, 2025, whichever is later.

a. Section 10.8 is deleted

b. The allowable fine under Section 5.6 (c) shall be not less than $25.00 and not more than $500.00

c. Section 5.6 shall include a new subsection (d) as follows.

(d) The sentence for a violation of this section may include a requirement that the defendant perform a specified number of hours of community service approved by the Court and/or completion of one or more educational classes dealing with the harmful effects of tobacco and electronic cigarettes assigned by the court.

Suggested Motion:
I move to adopt Ordinances 4487 and 4488.

C. Consider authorizing blocking certain streets within Riverside Park during the 18th annual Yona Strong 5K Run.

The Yona Strong 5K Run is an annual event held at Riverside Park in memory of Yona Julian, who was a well-known member of the Independence Community. This will be the event's 18th year. A police officer has been requested to be on site during the run this year to ensure that vehicles do not drive around barricades, which are usually manned by volunteers.

Suggested Motion:
I move to authorize blocking certain streets within Riverside Park on September 6, 2025 from 7:30 A.M. to 10:30 A.M. during the 18th Annual Yona Strong 5K Run.

D. Consider placing Stop Signs at the Intersection of 14th and Locust Streets.

The intersection of 14th Street and Locust Street currently has no stop control in any direction, which appears to be an exception in the area's overall traffic pattern. Each block in the surrounding area generally follows an alternating pattern of stop signs—either controlling north/southbound traffic or east/westbound traffic—so that every intersection has some form of traffic control. A citizen reported that they have almost been hit twice at this intersection. Staff recommends placing stop signs for north and southbound traffic at 14th and Locust to help improve safety and address potential future concerns, demonstrate attention to public safety, and bring the intersection in line with established neighborhood traffic patterns.

Suggested Motion:
I move to approve the placement of two new traffic signs as shown at the intersection of 14th and Locust Streets.

E. Consider adopting Ordinance No. 4489 amending applicability of fingerprinting fee to certain offenses.

By Kansas statute, any conviction or diversion involving what would be a class A or B misdemeanor, or simple assault, requires fingerprinting, except that violations for no drivers license and no insurance are exempt. Currently sec. 26-4 of our code does not exempt no drivers license and no insurance from being charged a fingerprint fee. The proposed ordinance addresses this but allows the municipal court to still charge the fee in its discretion.

Suggested Motion:
I move to adopt Ordinance No. 4489 amending applicability of fingerprinting fee to certain offenses.

F. Consider adopting ordinance 4490 amending certain court fees assessed in Appendix D.

This ordinance amends the court appointed attorney fee from $200 to $400.

Suggested Motion:
I move to approve ordinance 4490 amending certain court fees assessed in Appendix D.

G. Consider providing water bill credits to two consumers.

Staff has been advised that the only mechanism to provide water bill relief on amounts of water that have gone through the meter is to provide a credit after the bill in question has been paid. With that in mind, there are two customers where bill credits may be warranted:

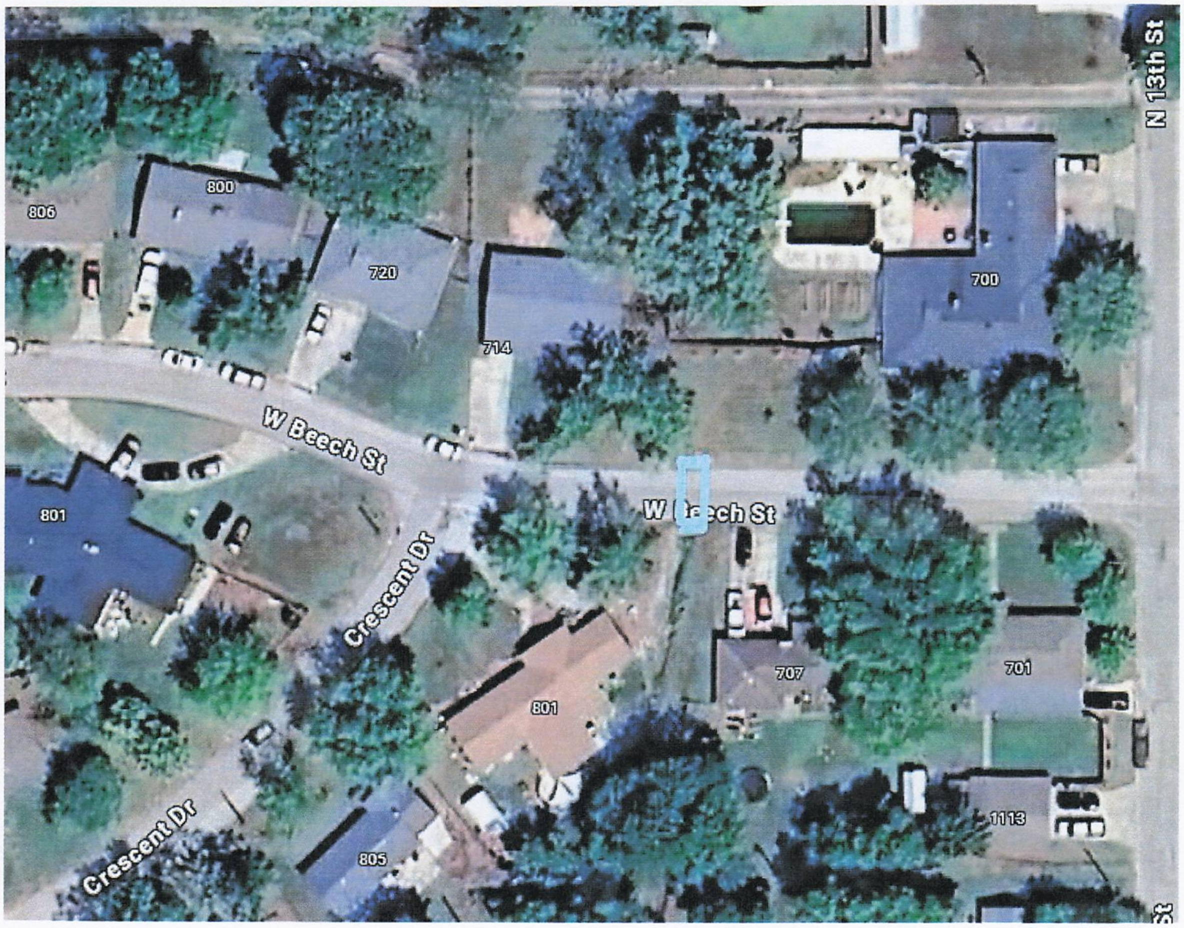
Kurtis Viets called to report a water leak. Upon the arrival of the City crew at 11am on 5/28/25, Mr. Viets was informed by City personnel that the leak was not his, and was a City line that was leaking. On 5/31/25, a different City crew arrived and, upon investigation, found that the leak was actually coming from Mr. Viets' system and the system was shut down. Based on electronic meter readings, it is estimated that 41,590 gallons were lost to leakage during the time between when Mr. Viets was informed that the leak was a City leak, and when the service was shut down for repairs. This would be a $320.66 credit to Mr. Viets.

Tim and Jennifer Christensen, residents of 308 E. Maple Street, were without water service for several weeks due to a failure in the water main. During this time, City crews conducted investigation and evaluation of the issue and awaited delivery of the necessary materials to complete the repair. Water consumption recorded during this period was the result of City crews flushing the line as part of the diagnostic and repair process. The failed main has since been replaced with a new 4-inch water line, and full service with adequate pressure has been restored to the residence. In recognition of the service disruption and City-related water usage, a credit in the amount of approximately $250.00 is respectfully requested for the Christensens' utility account.

Suggested Motion:
I move to approve providing credits to customers as outlined in the description.

H. Consider awarding engineering design of the replacement Beech Street culvert to TranSystems Corporation.

The Beech Street culvert (see picture) is failing. The existing corrugated metal pipes underneath the roadway have corroded to the point where the structure is flexing under normal vehicle load, and the culvert is currently covered with our steel plate as a temporary measure. Replacement is required. The attached design contract, once executed, will lead to a design contract for a replacement structure.



Suggested Motion:
I move to approve a contract in the amount of $18,000 for design of a replacement culvert on Beech Street and for the execution of any necessary documents.

V. PUBLIC HEARING

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

On December 12, 2024, the City Commission voted to adjourn the condemnation hearing to June 26, 2025. The property owner was instructed to meet with the
Building Inspector, submit a detailed timeline of proposed repairs, and initiate either the repair or removal of the structure. The owner has submitted a building permit and is working with the building inspector. Based on these circumstances, the staff recommends adjourning the hearing to November 13, 2025.

Motion:
On the motion of Tim Emert, seconded by Dean Hayse, the Commission adjourned the hearing to consider condemnation of 512 W. Myrtle Street as dangerous and unsafe to November 13, 2025, at 5:30 p.m.

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

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

On December 12, 2024, the City Commission voted to adjourn the condemnation hearing to June 26, 2025. The property owner was instructed to meet with the
Building Inspector, submit a detailed timeline of proposed repairs, and initiate either the repair or removal of the structure. Since the meeting on June 26, 2025, the owner has had new electrical service installed on the structure and started working on the interior, repairing sheetrock and floors. Staff recommends adjourning the hearing until November 13, 2025 at 5:30 PM.

Motion:
On the motion of Dean Hayse, seconded by Tim Emert, the Commission adjourned the hearing to consider condemnation of 208 S. 16th Street as dangerous and unsafe to November 13, 2025, at 5:30 p.m.

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

VI. ITEMS FOR COMMISSION ACTION

A. Consider adopting a Resolution authorizing the abatement of unhealthy and unsafe exterior conditions at 717 Washington Street.

The property located at 717 Washington Street, owned by Kansas Equity Consultant Pros, LLC, has failed to comply with multiple code enforcement notices regarding the accumulation of debris and overgrown vegetation. Despite repeated efforts to secure voluntary compliance, no corrective action has been taken.

The City's mowing contractor is currently unable to maintain the property due to extensive debris and piles of trash obstructing the area. On July 10, 2024,

the City formally notified Brett Hein that he had 14 days to resolve the violations or the City would pursue a Resolution to abate the property.

The proposed abatement will include:

- **Removal of all debris and trash from the yard,**
- **Brush hogging of overgrown vegetation, and**
- **Clearing of the right-of-way (ROW), including cutting back brush and vegetation growing through the steps and creating maintenance issues.**

The City intends to use chainsaws to remove the overgrown brush in the ROW; however, the concrete steps will remain in place to preserve infrastructure and ensure continued access for maintenance.

Motion:
On the motion of Tim Emert, seconded by Dean Hayse, the Commission adopted a resolution authorizing the abatement of unhealthy and unsafe exterior conditions at 717 Washington Street, Independence, Kansas, and to assess the costs of such abatement against the owner in accordance with City Code 42-69.

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

B. Consider adopting Ordinance No 4491 and Resolution No 2025-039 authorizing and providing for the issuance of General Obligation Bonds, Series 2025-B.

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 address the long-term facilities needs of the City.

Significant progress has since been made 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).

Motion:
On the motion of Dean Hayse, seconded by Tim Emert, the Commission approved and ratified the City Manager's prior award of the bid; adopted Ordinance No 4491; and adopted Resolution No. 2025-039.

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

C. Consider approving a grant agreement with the Kansas Department of Commerce for CDBG funding.

In May, city staff applied for a Community Development Block Grant with the Kansas Department of Commerce to fund a major renovation project on the Riverside Park playground. A public hearing for the grant application was held at the May 8th commission meeting. City staff have received notification that the city's application was successful, and $637,200 in grant funding has been awarded for the project. To move forward with the project, KDC requires a signed grant agreement. The agreement must be submitted to the state no later than August 1st.

Motion:
On the motion of Tim Emert, seconded by Dean Hayse, the Commission approved the CDBG grant agreement with the Kansas Department of Commerce for the Riverside Park Playground Renovation Project.

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

D. Consider awarding the 2025 Mill and Overlay Project to Emery Sapp and Sons.

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.

Bids were opened on July 10 at 10 A.M. The bid tab is attached. The lowest bid was from Emery Sapp and Sons in the unit price amount of $262,291.50. Our engineering firm, GFT, has worked with the bidder before and recommends award to them. This is within 3% of the estimated total amount for the construction portion of the project.

Please note that this is a unit price contract, and the final amount will vary based on the actual quantities employed in construction.

Motion:
On the motion of Dean Hayse, seconded by Tim Emert, the Commission approved the award of the 2025 Mill and Overlay Project to Emery Sapp and Sons, and for the execution of any necessary documents.

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

E. Consider contracting the 2025 Mill and Overlay Project observation with TranSystems.

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.

As construction observation and coordination is required to provide a consistent and quality product, pricing was requested from TranSystems, Inc. A proposal was received in the amount of $15,000, and approval is requested for this contract.

Motion:
On the motion of Tim Emert, seconded by Dean Hayse, the Commission approved the award of the 2025 Mill and Overlay Project construction observation contract to TranSystems, Inc. in the amount of $15,000 and for the execution of any necessary documents.

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

F. Consider acceptance of a KAIP airport grant.

The City applied for a Kansas Department of Transportation (KDOT) Kansas Airport Improvement Program (KAIP) grant in January, 2025. The following project was submitted and awarded to the City, and the contract is attached to this RCA:

Airport Apron Rehab Engineering:

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

Airport Apron Rehab Construction:

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

The reason that this project was proposed is that in order to maintain pavement integrity, maintenance work must be periodically performed. The FAA provides significant funding to our airport, but the apron directly adjacent to the Textron manufacturing facility is not eligible for FAA funding. However, KDOT's KAIP funding provides a source for funding for pavement maintenance in this area.

We will coordinate with Textron to minimize impacts on their operation.

Motion:
On the motion of Dean Hayse, seconded by Tim Emert, the Commission authorized acceptance of the KAIP grant and to allow the execution of any necessary documents.

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

G. Consider selection of strategic scope for HVAC/generator at Memorial Hall.

The City has entered into a contract with LS&A, P.A. as our engineering firm to work through the refurbishment of the HVAC systems. During the design, the following scope questions came up. First, what do we want to do with our HVAC system? The options are listed below.

Scenario	Cost (+/-30%)	Description	Pros:	Cons:
Continue As-Is	$ -	As-is.	Lowest cost.	Both chiller system and condenser system are at end of life.
Provide New 130-Ton Chiller	$ 360,000	Install new chiller to replace outdoor chillers ($360,000), no new condenser system for stage.	Lower cost, internal redundancy.	Stage requires periodic coolant replacement (until failure).
Provide New 130-Ton Chiller Plus Replace Condenser System	$ 425,000	Install new chiller to replace outdoor chillers ($360,000), new condenser system ($75,000) for stage.	All areas covered, internal redundancy.	
Provide New 160-Ton Chiller Plus Condenser System Conversion	$ 525,000	Install new chiller to replace outdoor chillers ($375,000), and replace condenser system with chilled water	System has internal redundancy (can run at 50%), easier to operate.	Marginal incremental benefit.

		($150,000) for stage.		
Provide Two 70-Ton Chiller Plus Replace Condenser System	$ 550,000	Install new chiller to replace outdoor chillers ($475,000), new condenser unit and coil ($75,000) for stage.	Provides some minor system redundancy.	Marginal incremental benefit.

The first option, Continue As-Is will lead to Memorial Hall being climate uncontrolled, and will lead to building degradation. As such, it is recommended that this scenario be disregarded unless abandonment of Memorial Hall is contemplated.

The second option, Provide New 130-Ton Chiller to replace the existing chiller system is the lowest cost project to maintain building climate integrity. It does not, however, address the condensing system that provides cooling to the stage. This system has a leak and requires an evacuation and recharge at each use to maintain comfortable conditions on stage during performances. This recharge costs several hundred dollars each time it is done, and eventually the system will cease to have the ability to retain coolant.

The third option, Provide New 130-Ton Chiller Plus Replace Condenser System is the lowest cost to address the entire building HVAC issue.

The last two options have marginal incremental benefits, cost more, but can be discussed if requested.

Second, on electrical, the scope options are as follows:

Scenario	Cost (+/-30%)	Description	Pros:	Cons:
Continue As-Is	$ -	As-is, based on emergency egress.	Lowest cost.	Limited shelter usage during power outages in

				inclement weather.
Add Basement Air Handlers, Select Receptacles	$ 37,000	Provides basement heat for emergencies (shelter).	Provides cold-winter shelter for extended power outages.	
Add Basement Lighting, Air Handlers, Receptacles, Same Size Generator	$ 137,000	Provides full basement use.	Provides cold-winter shelter for extended power outages.	Minimal added functionalit y compared to $37,000 option.
New Generator: All Loads Except: Cooli ng, Stage Rigging, Theatrical Lighting	$ 315,000	Provides full basement use, full non-stage lighting, no cooling.	Allows full building use for extended power outages during winter conditions.	No cooling for summer conditions.
New Generator: As Above, Plus Limited Cooling	$ 386,000	As above adds approximate ly 33% of cooling capacity.	Allows full building use for extended power outages during winter conditions, some hot-weather relief.	Some discomfort, manageme nt of load required.
New Generator: As Above, Near Fully Functional	$ 475,000	As above, near-normal operation.	Allows near-full building used for extended power outages.	Manageme nt of load required.

The first option for electrical backup, Continue As-Is is a viable scope. It is the lowest cost, but does not include creating a building that would be a useful shelter during, for instance, a longer-term power outage during winter. It is the lowest cost, and was likely sized for building egress in the event of an emergency.

The second option, Add Basement Air Handlers, Select Receptacles provides a heated basement for emergency winter use during periods of extended (days) power outage, as well as low-level lighting and availability of some wall outlets. This scope consists of wiring changes to use the building as a shelter. It also provides heat into the building during extended power outages which will protect some (but not all) components from freezing during extended power outages.

The third option, Add Basement Lighting, Air Handlers, Receptacles, Same Sized Generator provides full basement use during power outages, but that is a relatively minimal increase in capacity for the additional $100,000 cost.

The fourth option, New Generator: All Loads Except Cooling, Stage Rigging, Theatrical Lighting provides full heating of the building for large capacity crowds during an extended power outage.

The fifth option, New Generator: As Above, Plus Limited Cooling provides some cooling so that Memorial Hall could be an all-weather shelter during extended periods without power.

The sixth option, New Generator: As Above, Near Fully Functional allows near-normal function of the building during extended power outages.

For all scenarios, all costs listed are estimated construction costs, and do not include the existing engineering contract.

Motion:
On the motion of Dean Hayse, seconded by Tim Emert the Commission selected the third option for HVAC scope in the amount of $425,000, and the second option for electrical scope in the amount of $37,000.

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

H. Consider authorizing changes to Maple Street Contract for stormwater and final paving work near the railroad.

After bid and award of the Maple Street Contract, a review of the storm sewer downstream of the connection point showed that there was ballast (large stone) from the railroad bed above inside the stormwater pipe. The implication is that the stormwater pipe has been breached in the vicinity of the Union Pacific railroad bed and that the stormwater system has the potential to impact the integrity of the rail bed over time. As such, it is recommended to drill a new stormwater pipe to replace this existing line.

At the January 26, 2023 City Commission meeting, a change order was approved to bore under the railway. A delay in getting the right-of-way necessary for the installation has caused the costs for that change order to escalate.

The contractor (Bettis Asphalt & Construction, Inc.) has requested an additional $51,768.00 in Change Order 008 for this work. The alternatives were to re-bid the work or increase the funds associated with this change order. The City requested Shawn Turner from GFT (formerly TranSystems) to provide his recommendation. It follows in italics:

A summary of the Maple Street UPRR boring Change Orders follows:

1. ***Change Order No 5 originally covered the boring and was in the amount of $353,740 and was executed in January, 2023. This Change Order included $8,620 in general contractor markup (about 2.4%).***
2. ***The boring was substantially delayed to obtain the UPRR boring permit and easements, all of which have now been obtained.***
3. ***Due to the delay, the contractor requested an additional $51,768. Note that this amount is direct from the subcontractor, and the general contractor has agreed to no additional markup. This increases the amount of the boring to $405,508. ($353,740 plus $51,768)***
4. ***The subcontractor has provided information regarding cost increases, including from material suppliers, which are attached (*RCA note: 11 files submitted are omitted on this for brevity, but available on request for review*).***

We have reviewed the documentation provided for the additional $51,768. We believe the requested increases are reasonable given the time delay from the original proposal and recent volatility in the construction market. The alternative to not accepting additional change order, is to cancel both CO#5, reject this request and prepare a bid package for this portion of the contract. We estimate that our fees to prepare the bid package, and advertise

and bid this portion would be approximately $20,000. If we were to re-bid this portion of the project, there is no guarantee we would receive a favorable bid, or any bid at all. Working with the UPRR is particularly difficult at times, and sometimes reduces the bidder interest.

Based on our review, we recommend approving the Change Order Number 8 for an additional $51,768.

Based upon the need to ensure railbed integrity plus the recommendation, it is recommended to approve the attached change order.

Motion:
On the motion of Tim Emert, seconded by Dean Hayse, the Commission authorized Change Order 008 for the stormwater and railroad changes on Maple Street and the execution of any necessary documents.

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

I. Consider approving an agreement with JMZ Corporation as KwiKom to install fiberoptic lines in Penn Terrace Apartments for the purpose of high-speed internet.

The Independence Housing Authority has been working with JMZ Corporation as KwiKom to provide another high-speed internet option for the tenants at Penn Terrace Apartments.

Motion:
On the motion of Dean Hayse, seconded by Tim Emert, the Commission authorized the Mayor to sign an agreement with JMZ Corporation as KwiKom for the purpose of installing high-speed internet at the Penn Terrace Apartments.

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

J. Consider awarding a contract for the pumping station related to the Big Straw.

The first phase of the Big Straw is complete, and water is currently being supplied to the facility via Rural Water District number 6. In order to increase reliability and allow for full design flows, a pump station and standpipe must be installed, along with a standpipe. The pump station has been designed as a "stand alone" package. This pump station will be fabricated offsite, and then delivered as a single unit. That unit has been purchased and is in fabrication.

A bid was let on Tuesday, July 15, 2025 at 11:00 AM for the installation of that pump station as well to furnish and install the standpipe. There was one bidder, APAC-Kansas, Inc. The bid was $1,973,100, and the engineer's estimate was $1,924,000.

Motion:
On the motion of Tim Emert, seconded by Dean Hayse, the Commission awarded the contract for the pump station to APAC-Kansas, Inc. in the amount of $1,973,100.00 and for the execution of any necessary documents.

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

K. Consider setting a Joint Meeting with the USD 446 Board of Education regarding a proposed use agreement for the softball and baseball fields at Central Park.

In November 2020, the Independence Recreation Commission (IRC) formally requested the addition of soccer fields to the Central Park Sports Complex. Soon after, then-Superintendent Rusty Arnold contacted the City and IRC to explore expanding the project to include baseball and softball fields to serve the high school. In June 2021, Superintendent Arnold communicated to the project consultant that the District sought two regulation-sized baseball fields and two regulation-sized softball fields to be incorporated in the Central Park project. He also actively participated in the project design meetings, along with representatives of the Recreation Commission and the City.

The Central Park project is a multi-phase development designed from the outset to support both student athletics and community recreation.

Motion:
On the motion of Dean Hayse, seconded by Tim Emert, the Commission set a Joint Worksession with the USD 446 School Board to discuss the proposed Use Agreement for the Central Park Sports Complex on August 20, 2025, at 6:00 PM, at Memorial Hall.

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

L. Consider approving the submission of a Tenant Based Rental Assistance Grant to Kansas Housing Resources Corporation.

The Independence Housing Authority has annually submitted and been

awarded a Tenant Based Rental Assistance Grant from the Kansas Housing Resources Corporation since 1998. The City of Independence was awarded $120,000 for 2025. The Tenant Based Rental Assistance Grant is a program that assists low-income families with their monthly rent payments

Motion:
On the motion of Tim Emert, seconded by Dean Hayse, the Commission approved the submission of a Tenant Based Rental Assistance Grant to Kansas Housing Resources Corporation.

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

M. Consider Granting an Extension to the 60-Day Neighborhood Revitalization Program Application Deadline for the property located at 113 W. Myrtle Street due to extenuating circumstances.

Steve Morrison, the property owner of 113 W. Myrtle in Independence, Kansas, was planning to participate in the Rural Housing Incentive District (RHID) program for residential improvements at this address. However, he began construction prior to notifying April Nutt, the City's Program Administrator, which is required in order to initiate the RHID process. As a result, the property is no longer eligible for the RHID program.

Because the RHID and the Neighborhood Revitalization Program (NRP) cannot both be used for the same residential units, Mr. Morrison believed he was ineligible for the NRP and did not submit an application. After realizing he could not participate in the RHID due to timing issues, he expressed interest in applying for the NRP. However, the statutory deadline for submission—60 days from the start of construction—has now passed.

In consultation with Montgomery County Appraiser Melody Kikkert, it was suggested that the decision to allow Mr. Morrison into the NRP program under these extenuating circumstances should be made by the City Commission.

We are requesting direction from the City Commission regarding whether to grant an extension or exception to the 60-day deadline for participation in the Neighborhood Revitalization Program for the improvements at 113 W. Myrtle. This request is based on a good faith misunderstanding of program eligibility and the intent to participate in one of the City's approved housing incentive programs.

Motion:
On the motion of Dean Hayse, seconded by Tim Emert the Commission approved granting an extension to the 60-day Neighborhood Revitalization Program application deadline for improvements at 113 W. Myrtle due to extenuating circumstances.

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

VII. <u>REPORTS</u>

A. City Board Minutes

1. June 25, 2025, Independence Recreation Commission Minutes.

2. June 9, 2025 IHPRC Minutes.

B. Monthly Project and Public Works Report

Engineer Garris presented the report.

C. Appropriations

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

City Manager Passauer listed some upcoming events that include a ribbon cutting at Penn Avenue Fitness on Friday, July 25th, First Friday will be on August 1st, the VSE open house will be on August 6th, the Taste of Montgomery County will be on September 18th and upcoming Commission meetings.

IX. <u>COMMISSIONERS' COMMENTS</u>

None.

X. <u>PUBLIC CONCERNS</u>

None.

XI. ADJOURNMENT

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

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

W. Scott Smith, Mayor

Dean A. Hayse, Commissioner

Tim Emert, Commissioner

Attest:

City Clerk/Treasurer