

INDEPENDENCE CITY COMMISSION
USD #446 BOARD OF EDUCATION
SPECIAL WORK SESSION AGENDA

August 20, 2025

6:00 PM

Veterans Room, Memorial Hall

To participate by conference call:
1 785-289-4727 Conference ID: 938 185 875#

The Agenda shall be as follows:

I. SPECIAL WORK SESSION

A. Call to Order and Roll Call:

1. City Commission
2. USD #446 Board of Education

B. Approval of the Agenda:

1. City Commission
2. USD #446 Board of Education

II. ITEMS FOR DISCUSSION

A. Joint Work Session with the USD 446 Board of Education to discuss the Proposed Use Agreement for Central Park Sports Complex baseball and softball fields, and related land acquisition matters.

1. Project Background
2. Proposed Use Agreement
3. Land Contribution & Valuation
4. Proposed and Alternate Payment Credit Structure
5. Next Steps & Closing

III. ADJOURNMENT

A.

1. Adjournment by City Commission
2. Adjournment by USD #446 Board of Education



OTHER DISCUSSION CITY OF INDEPENDENCE August 20, 2025

Department Admin

Prepared By Kelly Passauer

AGENDA ITEM Joint Work Session with the USD 446 Board of Education to discuss the Proposed Use Agreement for Central Park Sports Complex baseball and softball fields, and related land acquisition matters.

1. Project Background
2. Proposed Use Agreement
3. Land Contribution & Valuation
4. Proposed and Alternate Payment Credit Structure
5. Next Steps & Closing

BACKGROUND Project Background

After the Independence Recreation Commission proposed adding soccer fields in the fall of 2020, the former Superintendent approached the City to expand the project to serve high school softball and baseball. He participated in the design meetings from the beginning to ensure the facilities would meet the needs of the high school's teams. During those discussions, the consultant asked the Superintendent to specify the District's request, including whether two regulation baseball fields were required. In June 2021, the Superintendent confirmed that the District sought two regulation-size baseball fields and two regulation-size softball fields to be incorporated into the complex. Alongside representatives of the Recreation Commission, who ensured the project met their program needs, and the City, which focused on broader community needs, the effort produced a multi-phase vision designed to provide high-quality facilities for both students and the community.

Proposed Use Agreement

To date, the District has not contributed to this project financially. The City has proposed a 15-year Use Agreement beginning January 1, 2026. USD 446 would pay an annual fee of \$70,000, with credits applied in the first ten years for land contribution. The agreement grants the District priority access for games, practices, and tournaments. The Recreation Commission would manage scheduling and maintenance, while the City would continue overall park maintenance. After 15 years, the agreement would automatically renew annually unless terminated by either party. Funds generated through the use agreement would be dedicated to a reserve for replacement fund to ensure the complex is sustained over the long term. This is the same concept behind the current District/ICC Use Agreement for Shulthis Stadium.

Land Contribution & Valuation

The agreement includes two land tracts totaling approximately 55 acres: 33 acres near Jefferson School and 22 acres near the Industrial Park. These are valued at approximately \$300,000, or \$5,454 per acre, consistent with comparable agricultural land sales. These properties support the City's long-term goals for housing development and job growth.

Proposed and Alternate Payment Credit Structure

Proposed Structure: Years 1–10, \$30,000 annual land credit reduces the net payment to \$40,000; Years 11–15, full \$70,000. Renewable annually after 15 years, with the option to terminate by either party.

Alternate Structure: \$20,000 annual land credit for the full 15 years, reducing the annual payment to \$50,000. Renewable annually after 15 years, with the option to terminate by either party.

Next Steps & Closing

Both governing bodies will review and discuss the proposed agreement, clarify USD 446's level of interest, and weigh the financial and community implications of maintaining separate facilities versus a shared-use partnership. The discussion will guide areas needing further dialogue before finalizing terms.

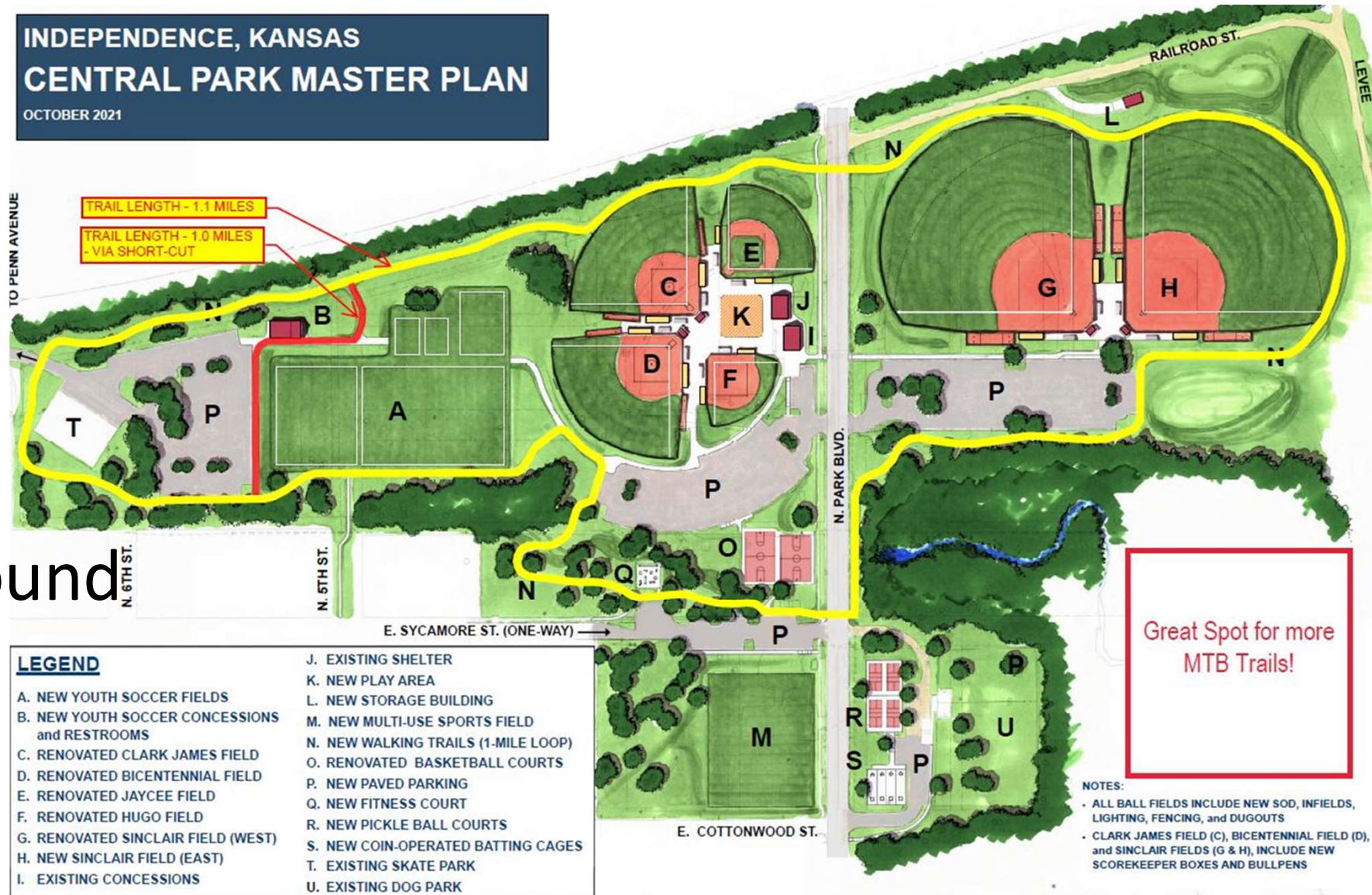
Joint Worksession: City Commission & USD 446 School Board

Purpose: To review and discuss the proposed Use Agreement for the Central Park Sports Complex baseball and softball fields.



INDEPENDENCE, KANSAS CENTRAL PARK MASTER PLAN

OCTOBER 2021

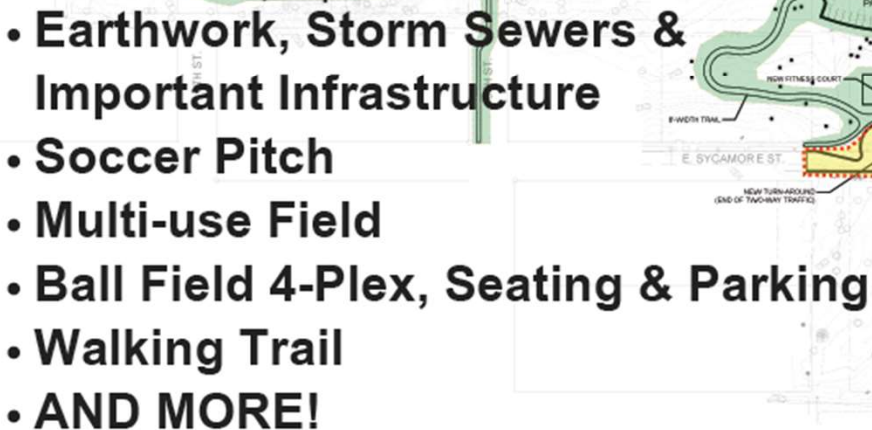


Project Background

Completed Phase I (in green) included two regulation softball fields (one turf).

- PHASE 1-A (FALL 2023-SPRING 2024)
- INCLUDES PARKING FOR ALL PHASE AREAS EXCEPT GRADING AREAS
- PHASE 1-B (SPRING 2024-FALL 2024)
- SPORTS FIELDS GROW-IN
- PHASE 2 (SUMMER 2024-SPRING 2025)
- PHASE 3 (TO BE DETERMINED)

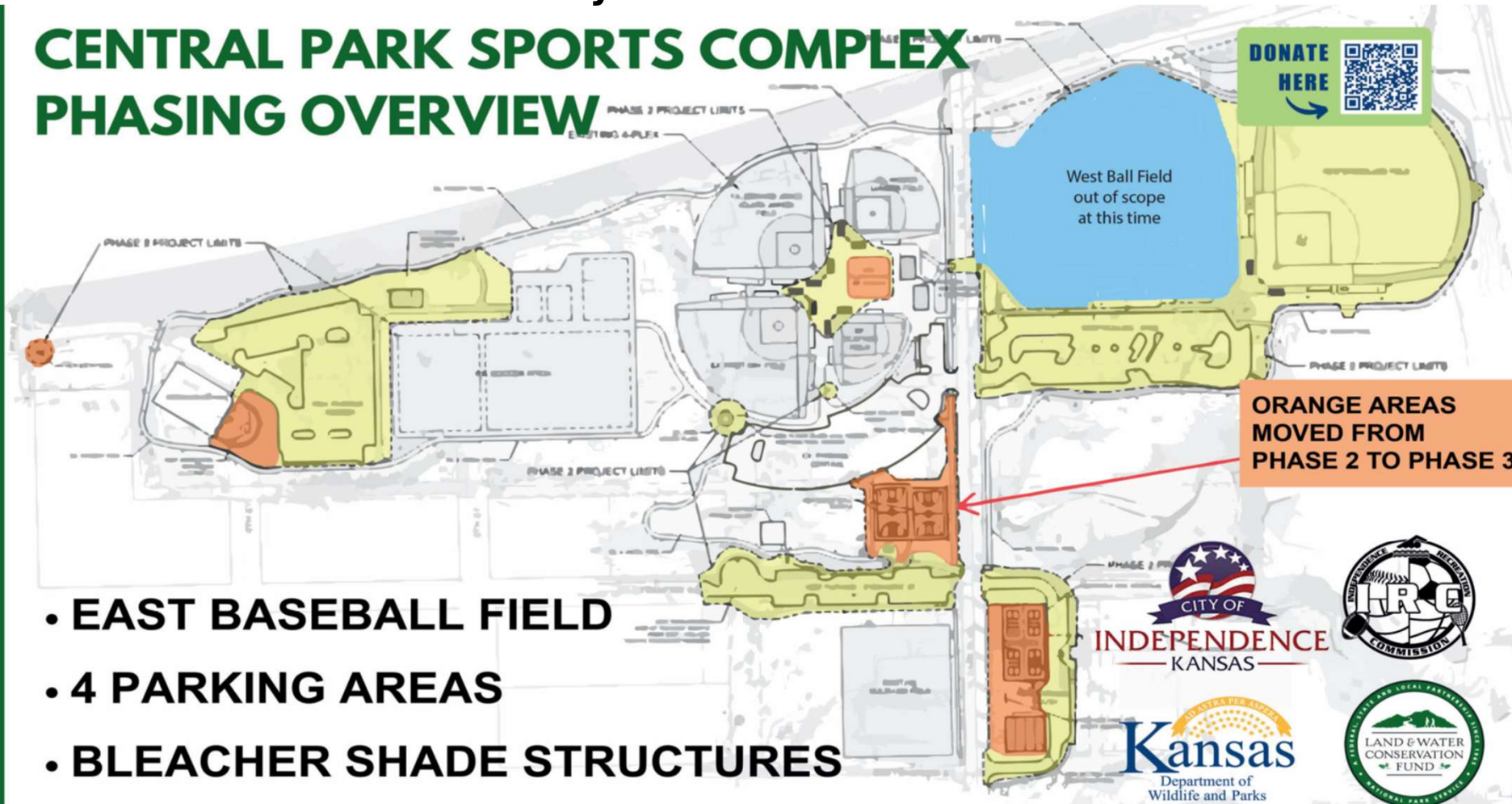
9.12.23



Phase II (yellow) is nearly complete, which includes one regulation baseball field (turf). Phase III (orange) is pending grant funding. Phase IV (blue) consists of the second requested baseball field and is currently unfunded.

PHASE 2

CENTRAL PARK SPORTS COMPLEX PHASING OVERVIEW



Annual Use Agreement Costs

- **Proposed Annual Costs**
 - **City & IRC:** Share costs for full-time maintenance staff, utilities, equipment, supplies, and debt repayment
 - **USD 446:** \$70,000 annually for 15 years → reserve fund for replacement, renewable
- **Central Park Sports Complex**
 - Project Cost: ~\$12M
 - Excludes 2nd non-turf baseball field (~\$1M)
 - Estimated 40 home games (baseball and softball, varsity and junior varsity) plus practices
 - Annual Lease: \$70,000 → reserve fund for replacement, renewable
- **Shulthis Stadium**
 - Est. Project Cost: ~\$2.5M
 - Limited Use: 4–5 ICC Home Games, no practice
 - Annual Lease: \$35,000 → reserve fund for replacement, renewable





USD 446:

- Priority access for practices, games, and tournaments
- Game-day prep and post-event cleanup
- Concession operations

IRC:

- Sports field scheduling
- Sports field and features upkeep, maintenance, and repair coordination

City:

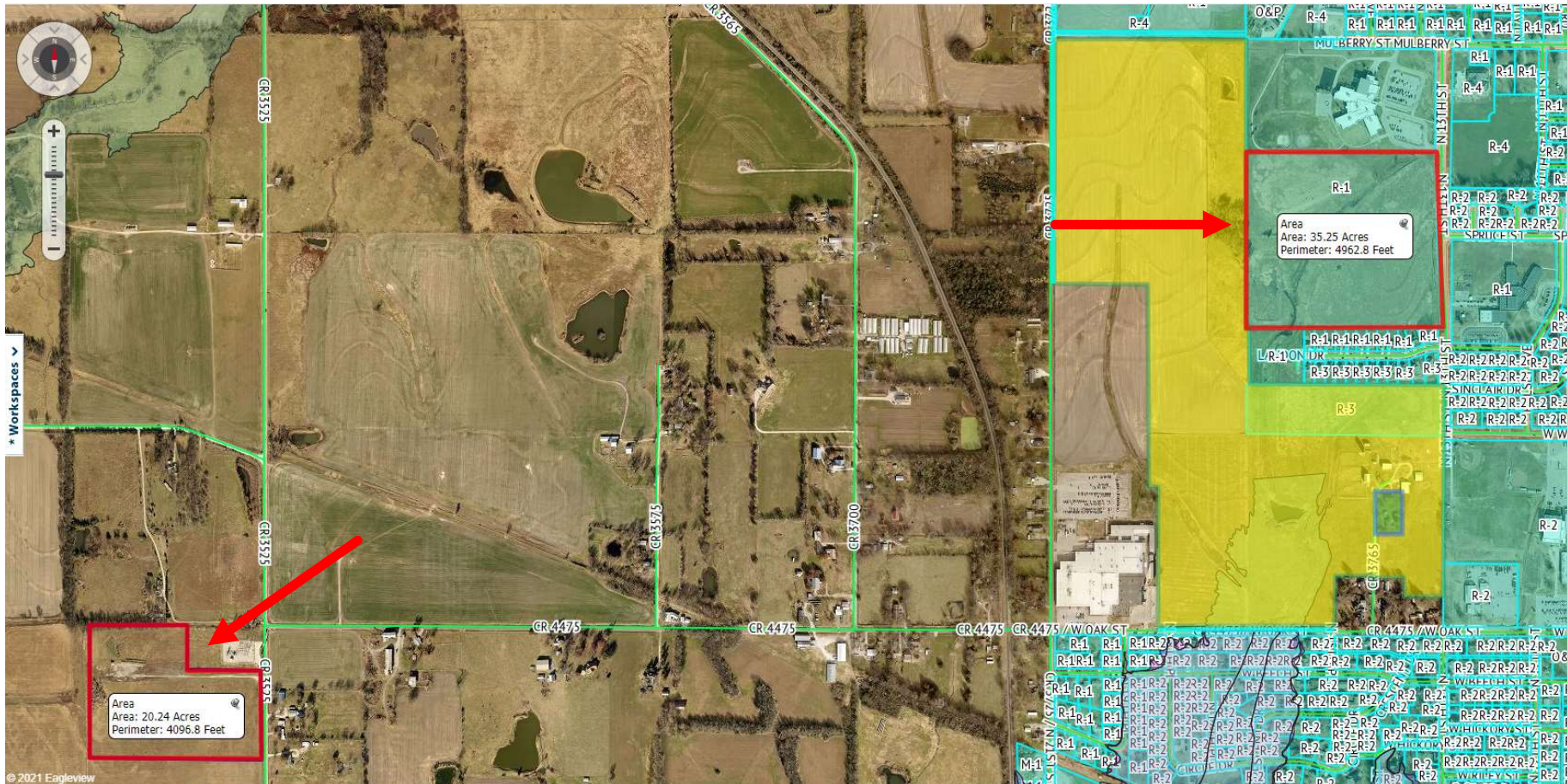
- Overall park maintenance

Use & Responsibilities



Strategic Considerations

- Central Park Sports Complex is ADA Compliant
- ARCO Complex capital support ends Aug 31, 2025
- Avoids facility duplication and higher taxpayer burden
- Equitable cost-sharing model (similar to ICC stadium use)
- Preserves and strengthens long-term City-School partnership

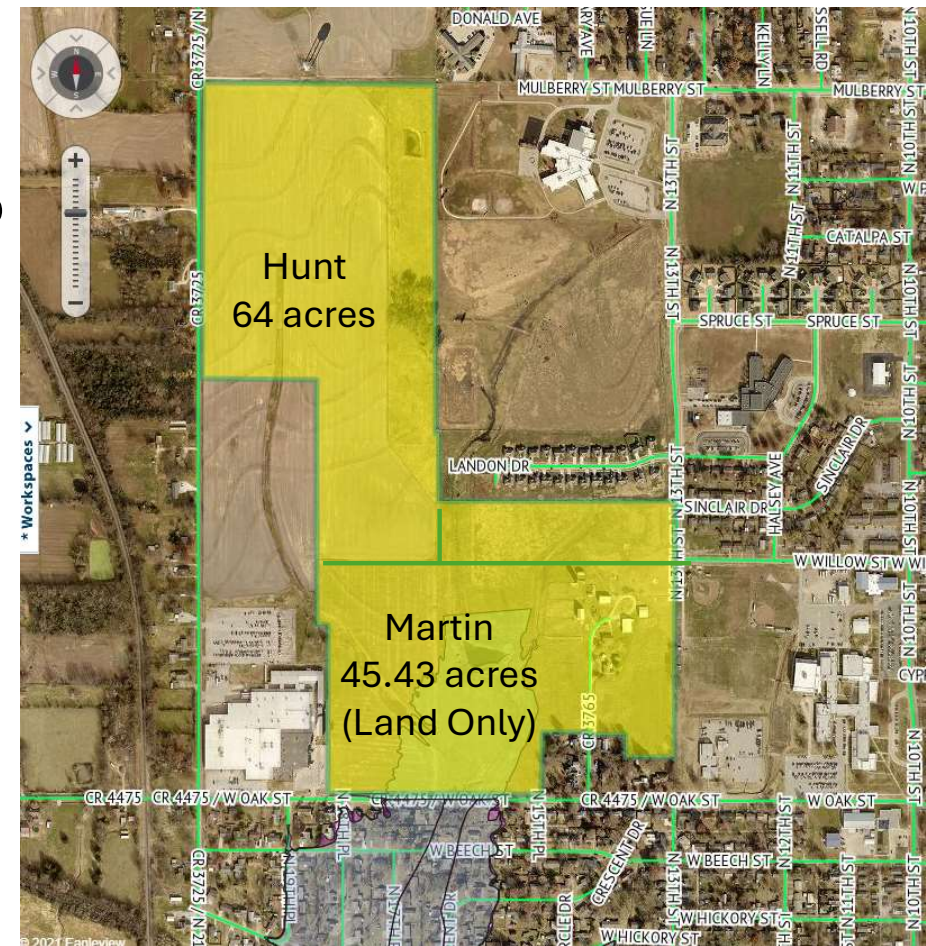


Land Contribution Details

- 33 acres near Jefferson School (future housing potential)
- 22 acres near Industrial Park (light industrial development)
- Supports City economic development, housing & job growth

Land Value

- Purchase Cost by District
 - 33 acres near Jefferson School purchased for \$6,000 per acre per school = \$198,000
 - 22 acres near Industrial Park reimbursed to Recreation Commission per the Recreation Commission = \$25,000
 - Total Paid for Both Tracts by the District = \$223,000
- Comparable Adjoining Ag Land Cost Based on Appraised Value in 2024
 - 64 acres from Janie L. Hunt for \$300,000 (\$4,687.50 per acre)
 - 45.43 acres from William Jack and Lori A. Martin for \$180,000 (\$3,962.14 per acre)
- City's Offer of \$300,000 for 55 acres is \$5,454.55 per acre.





Proposed Use Agreement Overview

- 15-year agreement beginning Jan 1, 2026
- USD 446 pays \$70,000 annually
- Years 1-10: \$30,000 credit for land = \$40,000 net payment
- Years 11-15: Full \$70,000
- After 15 years, automatic annual renewal unless terminated with 90 days' notice

Alternate Use Agreement Overview

- 15-year agreement beginning Jan 1, 2026
- USD 446 pays \$70,000 annually
- Years 1-15: \$20,000 credit for land = \$50,000 net payment
- After 15 years, automatic annual renewal unless terminated with 90 days' notice

Next Steps



- Recap feedback and discussion from both governing bodies
- Clarify USD 446's level of interest in the proposed Use Agreement
- Consider implications of maintaining separate facilities
- Acknowledge public cost concerns and facility limitations at South 10th (ARCO)
- Identify areas for continued dialogue or resolution

Building the Future, Together

- Project Purpose and Design
 - Designed for use by both high school and City recreation
 - Collaboratively designed over four years ago with input from representatives of USD administration, City Recreation Commission, and the City.
- Community Benefit
 - Supports long-term youth access to high-quality athletic facilities
 - Advances shared goals for student and community enrichment
 - Reflects the shared belief: "*We are better together.*"

High-quality facilities for students
and the community

Shared responsibility. Shared pride.
Shared success.





**REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
July 24, 2025**

Department Admin

Director Approval Kelly Passauer

AGENDA ITEM 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.

SUMMARY RECOMMENDATION

Staff recommends that the City Commission set a date for a Joint Worksession with the USD 446 School Board to discuss the proposed 15-year Use Agreement for the Central Park Sports Complex. The agreement represents a continuation of the City's longstanding partnership with the school district and provides a sustainable framework for shared use of newly constructed athletic facilities. This project was collaboratively designed and always intended for shared use. As School Board Member Charles Barker often says, *"We are better together."* This proposal honors that spirit while serving both our students and the broader community.

BACKGROUND 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.

FINANCIAL INFORMATION

Project Scope and Status

The total estimated cost of the Central Park Sports Complex is **\$11.87 million**, divided into three current phases:

- **Phase I (Completed)** – \$6.43 million
- **Phase II (Under Construction – Est. Completion August 2025)** – \$4.40 million
- **Phase III (Pending – Grant Application Fall 2026)** – \$1.04 million

The two requested softball fields were completed in Phase I, and one baseball field is currently under construction in Phase II. Due to rising construction costs and the expanded scope of the project, the second requested baseball field remains unfunded and is not included in the current scope. It would require a future Phase IV.

Funding Contributions to Date

- City of Independence – \$4.07 million (34.3%)
- Independence Recreation Commission – \$1 million (8.4%)
- Grants (secured by the City) – \$5.79 million (48.8%)
- Private Donations – \$1 million (8.4%)
- USD 446 – \$0

Use Agreement Proposal

The City initially proposed a \$2 million funding contribution from USD 446, later reduced to \$1 million. However, due to rising construction costs and the expanded scope of the project, the actual cost of constructing the fields requested by the District now significantly exceeds either of the previously proposed contribution levels. As a result, the City has shifted its focus toward a sustainable long-term partnership through a 15-year Use Agreement, which includes:

- **Annual fee:** \$70,000
- **First 10 years:** \$30,000 annual credit in exchange for two land tracts (33 acres near Jefferson School and 22 acres near the Industrial Park), resulting in a net payment of \$40,000/year
- **Years 11–15:** Full \$70,000/year
- **Automatic annual renewal** thereafter unless terminated by either party with 90 days' notice

The 33-acre tract near Jefferson School is intended for future housing, while the 22-acre tract near the Industrial Park is proposed for light industrial development. Both parcels support the City's economic development goals. Increased housing and job creation will strengthen the community and help support future school enrollment growth, which is vital to the long-term success of the school district.

Under the agreement, USD 446 would receive priority access to the fields for games, practices, tournaments, and related activities. The IRC would coordinate scheduling and provide maintenance. USD 446 would manage game-day operations and post-event cleanup.

Strategic and Fiscal Considerations

- After August 31, 2025, the City and IRC will cease capital investment in the ARCO Complex, with only basic maintenance and mowing continuing to support its use as

practice facilities. City taxpayers should not be expected to support the improvement of redundant facilities.

- Constructing separate school-owned facilities would result in higher taxpayer costs and duplicated infrastructure. This was the impetus for former Superintendent Rusty Arnold to initiate the inclusion of ballfields to serve the high school in the Central Park Sports Complex.
- This model mirrors USD 446's existing stadium lease with Independence Community College (ICC) and helps equitably distribute maintenance costs across all USD 446 patrons—not just City residents.
- The City has a strong record of collaboration with USD 446, including authorizing use of City sales tax authority to support the \$45.1 million school bond issue—which allowed that project to move forward without a significant mill levy increase to District taxpayers.

SUGGESTED MOTION I move to set a Joint Worksession with the USD 446 School Board to discuss the proposed Use Agreement for the Central Park Sports Complex on _____ date, at _____ time, at Memorial Hall.

SUPPORTING DOCUMENTS

1. 07102025-USD-Central Park
2. Draft_Use_Agreement_Central_Park_Fields
3. Central Park Sports Complex Phase 2 Banner 102in x 54in-Reduced
4. 07142025-FollowUpLetter



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

July 10, 2025

Jason McAfee, Superintendent
517 N. 10th Street, P. O. Drawer 487
Independence, KS 67301

Dear Jason,

Thank you again for your January 2 email and for providing comparable sale data regarding the land near Jefferson School. I'd like to take this opportunity to formally respond to the comparables provided and offer a counter proposal for the City's requested acquisition. After reviewing the sales you submitted, I respectfully must note that they are not appropriate comparisons for the two tracts under consideration.

The land in question includes:

- A 33-acre unplatted agricultural tract directly adjacent to Jefferson School, bisected by a natural drainage way, with no public utility infrastructure;
- A 22-acre unplatted agricultural tract located outside the City limits, adjacent to an electrical substation—making it better suited for future light industrial development, not permanent housing.

The comparable sales you referenced, including the Rainbow Drive property, involve platted, infrastructure-served land in fully developed residential neighborhoods such as the Country Club area. That property consisted of nine platted residential lots purchased by the Housing Authority for \$125,000, or \$13,888.89 per lot. Any realtor will tell you this is in line with market value for platted residential lots in that part of the community. It is held in the City's name solely due to statutory restrictions. These are not appropriate comparisons to unplatted, infrastructure-limited agricultural land. A more accurate valuation basis comes from the City's acquisition of agricultural land in 2024:

- 64 acres from Janie L. Hunt for \$300,000 (\$4,687.50 per acre)
- 62 acres from William Jack and Lori A. Martin for \$754,000 (bundled), appraised on behalf of the seller as follows:
 - 45.43 acres Agricultural Land: \$180,000
 - 10.26 acres Platted Land: \$175,000
 - House at 4490: \$85,700
 - House and Acres at 4488: \$224,200
 - Farm Buildings: \$90,000
 - Total Appraised Value: \$754,900

The Martin appraisal places the agricultural portion at approximately \$3,962.14 per acre, reinforcing the fairness of the City's current proposal.



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

In lieu of a cash purchase, the City proposes a \$300,000 credit over 10 years (\$30,000 annually) as part of a 15-year Use Agreement for the new Central Park Sports Complex. This would serve as compensation for both tracts (totaling approximately 55 acres), at \$5,454.55 per acre—more than what the City paid for comparable agricultural land.

The Central Park Sports Complex was designed to support student athletics and community recreation. Phase I is complete and II is underway, with completion expected by August 2025. Phase III is targeting a Land and Water Conservation Fund (LWCF) grant in September 2026. Phase IV (a second baseball field) remains unfunded due to cost. The City and IRC have informed the District and ICC that, effective August 31, 2025, all maintenance activities at the ARCO Complex on South 10th Street—aside from basic mowing—will be discontinued.

If the District is willing to enter a long-term partnership, the City proposes a 15-year Use Agreement:

- Years 1–10: \$30,000 credit on a \$70,000 lease = \$40,000 net annual payment
- Years 11–15: Full \$70,000 annual lease
- After 15 years: Agreement renews annually unless terminated by either party.

We all want students at the high school to benefit from high-quality athletic facilities at Central Park—rather than continue using the aging ARCO Complex, which will no longer be maintained by the City or IRC. The City has invested heavily in this project, and we believe this proposal represents a fair and future-focused path that benefits both the school and our community. As School Board Member Charles Barker often reminds us, "We are better together." This project embodies that spirit—not only by serving the broader community through enhanced recreational infrastructure, but also by directly supporting the students who will learn, grow, and compete on these fields. It also builds on our past partnership with the school district that made it possible to dedicate significant City sales tax revenues to help secure voter approval of the \$45 million bond issue—saving USD taxpayers from a substantial mill levy increase.

If helpful, the City Commission would be happy to participate in a joint work session with the USD 446 School Board to discuss this topic in more detail. I would also be happy to meet with you, individual board members, or the full Board at your convenience to discuss next steps.

Sincerely,

Kelly Passauer, CPM
City Manager

AGREEMENT FOR USE OF CENTRAL PARK SOFTBALL AND BASEBALL FIELDS

This Use Agreement is entered into by and between the City of Independence, Kansas ("City") and Unified School District No. 446 ("USD 446"), with the Independence Recreation Commission ("IRC") participating as the designated scheduling and maintenance partner for the City. The purpose of this agreement is to set forth the terms for the use, scheduling, and maintenance of the Central Park baseball and softball fields in Independence, Kansas.

RECITALS

The City owns the real property known as Central Park, which includes baseball and softball fields and associated improvements.

USD 446 desires to utilize the Central Park baseball and softball fields for the purposes of hosting high school sports practices, games, and related activities.

The City agrees to allow such use, subject to the terms and conditions herein, and the Independence Recreation Commission (IRC) agrees to manage field scheduling and maintenance responsibilities as part of this cooperative arrangement.

SECTION 1. TERM

This Agreement shall commence on January 1, 2026, for a term of fifteen (15) years. After that, it will automatically renew on a year-to-year basis, unless any party provides written notice of termination at least ninety (90) days before the end of the then-current term.

SECTION 2. USE OF FIELDS BY USD 446

- All regularly scheduled high school baseball and softball games.
- Practices, scrimmages, and tournaments.
- Concession operations during USD 446 events.
- Reasonable pre- and post-event access for setup, warm-up, and takedown.

SECTION 3. SCHEDULING

1. USD 446 shall submit proposed schedules to IRC no later than January 15 annually.
2. IRC will coordinate all usage schedules for Central Park fields and shall give reasonable priority to USD 446's high school season needs.
3. IRC and USD 446 shall work cooperatively to resolve scheduling conflicts. If unresolved, IRC shall have final scheduling authority but will act in good faith to ensure equitable field access.

SECTION 4. USAGE FEE

1. USD 446 agrees to pay the City an annual fee of \$70,000.
2. For the first ten (10) years, USD 446 will receive a \$30,000 credit annually, in exchange for the transfer of two land tracts totaling 55.53 acres:
 - Peter Pan Tract (20.36 acres)
 - South of Jefferson Tract (35.17 acres)
3. The net fee due during years 1–10 shall be \$40,000 annually. In years 11–15 and beyond, the full \$70,000 is payable.
4. Fees are due by February 15 each year. A late fee of 0.15% per 30 days shall apply for overdue payments.

SECTION 5. INDEMNITY AND INSURANCE

USD 446 shall indemnify and hold harmless the City and IRC from liability for claims arising from its use of the fields. USD 446 shall obtain general liability insurance naming both the City and IRC as additional insureds, in amounts approved by the City.

SECTION 6. MAINTENANCE

IRC shall:

1. Keep the fields in good repair and playable condition.
2. Perform routine mowing, infield care, lighting, and facility upkeep.
3. Promptly notify the City and USD 446 of any damage beyond ordinary wear and tear.

USD 446 shall be responsible for damages caused by its activities beyond normal wear and tear.

SECTION 7. EVENT MANAGEMENT

USD 446 shall:

1. Supervise all use during its scheduled events;
2. Provide game day field preparation and post-event cleanup;
3. Prevent any damage to facilities;
4. Notify IRC promptly of any hazards or safety concerns.

SECTION 8. ASSIGNMENT

No party may assign or sublet this Use Agreement or their rights without prior written consent of the other parties.

SECTION 9. ENTIRE AGREEMENT

This Agreement contains the full and complete understanding of the parties. Any modifications must be in writing and executed by all parties.

SECTION 10. SIGNATURES AND ATTESTATION

City of Independence, Kansas

By: _____

W. Scott Smith
Mayor

Date: _____

ATTEST:

By: _____

City Clerk

Unified School District 446

By: _____

Scott Hines
Board Chair

Date: _____

ATTEST:

By: _____

USD #446 Board Clerk

Independence Recreation Commission

By: _____

Name:
IRC Board President

Date: _____

ATTEST:

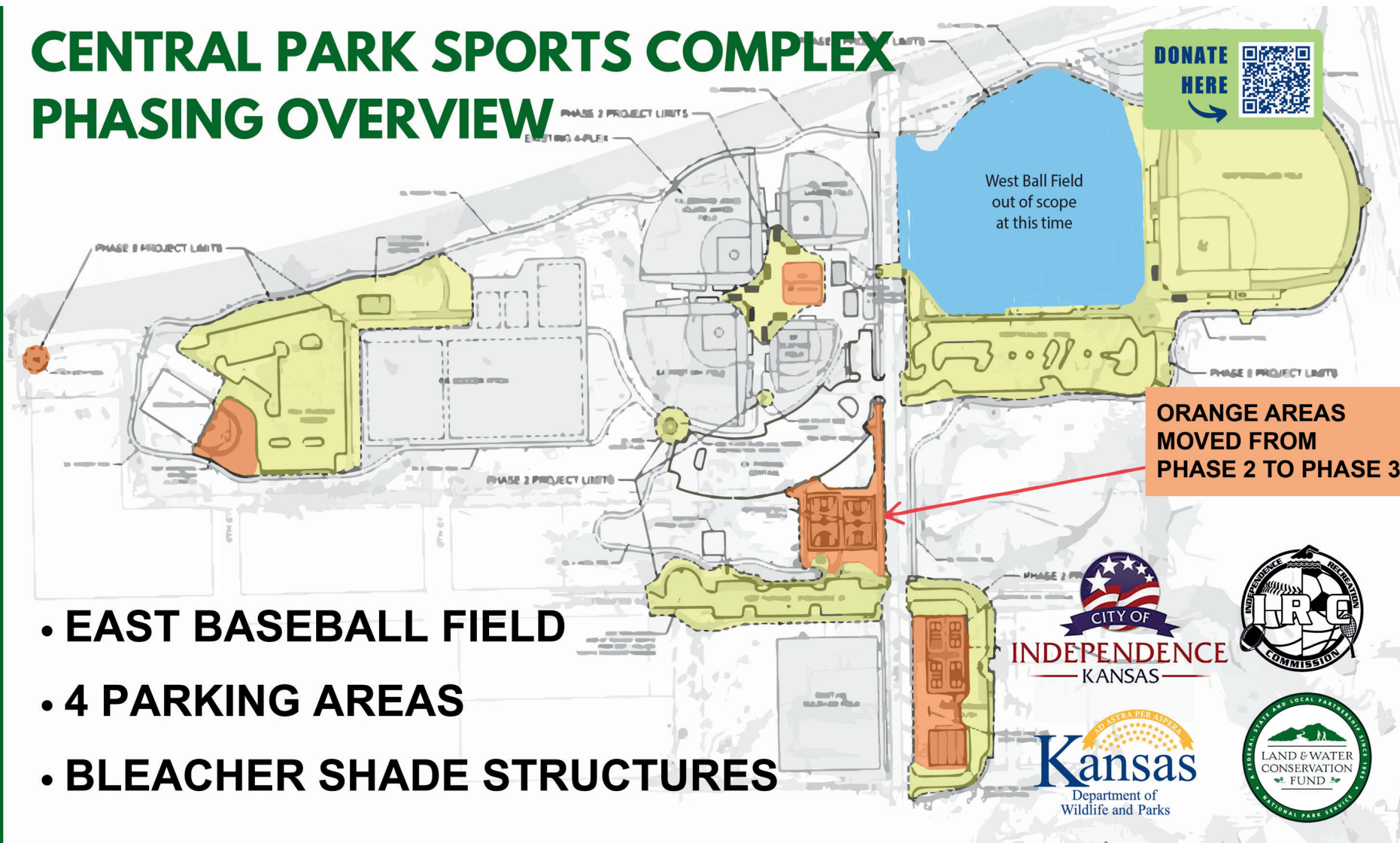
By: _____

Independence Recreation Commission Board Clerk

DRAFT

PHASE 2

CENTRAL PARK SPORTS COMPLEX PHASING OVERVIEW





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

July 14, 2025

Jason McAfee, Superintendent
517 N. 10th Street, P. O. Drawer 487
Independence, KS 67301

Dear Jason,

Following up on the letter I sent to you dated July 10, 2025, I wanted to provide additional context regarding the City's proposal related to the Central Park Sports Complex—particularly in light of recent public comments that do not reflect the full history of the project or the collaborative spirit that shaped its development.

To clarify, the inclusion of high school baseball and softball fields in the Central Park project was initiated by former Superintendent Rusty Arnold. After the Independence Recreation Commission formally requested adding soccer fields in November 2020, Mr. Arnold contacted both the City and IRC to explore expanding the scope to serve USD 446 athletics. He participated in the project design meetings and, in June 2021, directed the consultant that the District was seeking two regulation-sized baseball fields and two regulation-sized softball fields to be included at the Central Park site.

Since then, the City and IRC have invested significant time and funding into the phased development of this shared-use facility. While we initially approached the School Board with a construction contribution request—first \$2 million, later reduced to \$1 million—we've since shifted our focus to a long-term use and maintenance agreement that offers both flexibility and fairness. This proposal, which includes a \$300,000 land credit toward a reduced-use fee, is outlined in the attached letter previously provided.

The total project cost is estimated at \$11.87 million, divided across three phases:

- Phase I (Completed) – \$6.43 million
- Phase II (Underway, completion August 2025) – \$4.40 million
- Phase III (Pending grant, Fall 2026) – \$1.04 million

(Note: A second baseball field remains unfunded at this time due to cost constraints.)

Funding sources to date:

- City of Independence – \$4.07 million (34.3%)
- Independence Recreation Commission – \$1 million (8.4%)
- Grants (applied for by the City) – \$5.79 million (48.8%)
- Private donations – \$1 million (8.4%)

STRATEGIC VISION: *Customer Service Excellence – Continuous Improvement – Teamwork*



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

In the interest of transparency, I also want to acknowledge that a draft press release prepared in response to the public comments about this topic was shared prematurely by a member of our economic development team before it was finalized or officially approved. While the content of the draft was factual, it had not yet gone through our internal review and authorization process. As soon as I became aware, I requested it be taken down. I regret any confusion the early posting may have caused, and I appreciate your understanding as we work to maintain clear and collaborative communication moving forward.

The City Commission remains open to participating in a joint work session with the School Board should the Board find that helpful. We continue to value our longstanding relationship and are hopeful we can move forward in a way that serves our students and the broader community.

Sincerely,

Kelly Passauer, CPM
City Manager