

Minutes of the City Commission's April 24, 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 Garriss, City Engineer/Director of Public Works; Lisa Helkenberg, Police Captain and Lacey Lies, Finance Director by phone.

Visitors Present: Larry McHugh, Breanne Sanford, Lisa Wilson and Adam Brubaker.

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 approved the agenda.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

II. 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 a request from the Montgomery County Action Council to participate in the Team Kansas membership.

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On April 1, 2025, the Montgomery County Action Council (MCAC) presented to the Economic Development Advisory Board (EDAB) requesting that the City collaborate with the Chamber of Commerce to pledge up to \$2,500 for a Team Kansas membership. The EDAB recommended that the City participate.

The Chamber of Commerce's approval is pending on their board action on April 22, 2025.

Team Kansas Overview

Team Kansas is a statewide initiative designed to showcase the strengths of Kansas to a national and global audience, attracting businesses, site selectors, and industry leaders. Membership provides exclusive access to events and networking opportunities, including:

- **Site Selector Events:** High-profile networking opportunities with site selectors and economic developers across the U.S.
- **Kansas Familiarization Tours:** Tours highlighting Kansas's infrastructure, workforce, and innovation hubs to attract investment.
- **International Trade Missions:** Opportunities for global outreach and business development.
- **Collaborative Events with Key State Leaders:** Access to events with Kansas leadership, such as the Governor and Lt. Governor, and other industry leaders.

Membership Tiers:

- **Tier 2:** A \$2,500 pledge allows participation in three general events annually. The City would be able to attend these events and network with industry leaders, site selectors, and potential investors.

Benefits of Participation

- **Economic Development:** Participation in Team Kansas events can help attract new businesses and investment to Independence.
- **Networking:** Access to a broad network of economic developers, site selectors, and government officials.
- **Exposure:** The opportunity to showcase Independence's assets and opportunities for investment on a national and international scale.

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Suggested Motion:

I move to partner with the Chamber of Commerce to provide \$1,250 in matching funds toward a Team Kansas Tier 2 membership.

- B. Consider authorizing a Greenbush Energy Group Participation Agreement & Hedging Authorization.**

City Administrative staff has been working with Greenbush Energy Group for approximately nine years on the acquisition of Natural Gas for Building D and Memorial Hall. This agreement kept the price volatility of February 2021's unprecedented winter storm from significantly impacting the budget. We generally also receive a Transaction Confirmation Agreement to acquire natural gas from WoodRiver Energy around this time. We have not yet received this agreement.

Suggested Motion:

I move to authorize the City Manager to sign a Greenbush Energy Group Participation Agreement & Hedging Authorization and any other related documentation with our third-party gas supplier (WoodRiver Energy), pending the City Attorney's review and approval.

III. PUBLIC HEARING

- A. Public Hearing to consider condemnation of 1012 W. Chestnut Street as dangerous and unsafe.**

On February 6, 2025, a fire caused extensive damage to the residence located at 1012 W. Chestnut, rendering the structure uninhabitable. At its meeting on February 13, 2025, the City Commission set a Public Hearing for April 24, 2025, to consider the condemnation of the property.

Following the incident, the property owner met with City staff and began obtaining cost estimates for both demolition and rehabilitation of the structure. The owner later notified the City of their intent to proceed with demolition using a local contractor. In the most recent communication, the owner indicated they were working to sell the property. Since that time, no further contact has been made.

City staff recommend that the structure be condemned as dangerous and unsafe.

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Motion:

On the motion of Tim Emert, seconded by Dean Hayse, the Commission condemned 1012 W. Chestnut as dangerous and unsafe.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

IV. ITEMS FOR COMMISSION ACTION

A. Consider proclaiming May 4-10, 2025 as Public Service Recognition Week.

Introduced in 1985 by President Reagan, Public Service Week honors the people in the public sector and acknowledges their efforts to provide services to the citizens. The City of Independence would like to honor our employees who provide services to the citizens of Independence. In addition, we would like to invite the City Commission to attend an appreciation luncheon for our employees on May 8, 2025 from 11 AM to 1 PM in the Enclosed 4-H Building.

Motion:

On the motion of Dean Hayse, seconded by Tim Emert, the Commission authorized May 4-10, 2025, as Public Service Recognition Week in Independence, Kansas.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

B. Consider a 20-minute parking stall in the 100 block of West Myrtle Street.

On January 23, 2025, the City Commission approved the installation of a 20-minute parking stall on the north side of the east half of the 100 block of East Main Street.

A new business, *Zodiac Nutrition*, has since opened at 113 W. Myrtle Street and has requested a 20-minute parking stall to serve their location. City staff has evaluated the request and identified the third parking space west of the alley on the south side of the 100 block of West Myrtle as the most suitable location.

The Collaborative Planning Group—comprising representatives from Main Street, the Chamber of Commerce, and MCAC—continues to assess downtown parking concerns. At their April 21, 2025, meeting, it was suggested that Main Street put together a subcommittee of downtown business owners to make suggestions on how to best address this issue, since they are major stakeholders regarding downtown parking concerns. Main Street is willing to help assemble a group of downtown property owners. However, they do

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not wish to lead the meeting. The Collaborative Planning Group plans to meet again on May 1st to revisit how best to facilitate a stateholder meeting.

Since reviewing the overall downtown parking issues will be a long process, City staff recommends moving forward with approving the proposed 20-minute parking stall as requested by Zodiac Nutrition. Just as all other timed parking spaces downtown, anyone can use this parking stall, and it is not limited to only customers of Zodiac Nutrition.



Motion:

On the motion of Tim Emert, seconded by Dean Hayse, the Commission approved the 20-minute parking stall in the 100 block of West Myrtle as requested by Zodiac Nutrition.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

C. Consider a Resolution in support of the Kansas Community Empowerment Program.

The Chamber of Commerce, in partnership with the City of Independence, has participated in the Kansas PRIDE Program, which has since been rebranded as the Kansas Community Empowerment (KCE) Program.

The KCE Program is designed to support community volunteer organizations in their efforts to promote local development through education, leadership, and recognition. Lisa Wilson will be present to discuss the transition from the former PRIDE Program to KCE, and to share what is currently being done in Independence under this initiative.

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Motion:

On the motion of Tim Emert, seconded by Dean Hayse, the Commission approved Resolution 2025-017 supporting the participation of local organizations in the KCE program.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

- D. Consider authorizing award of the KDOT City Connecting Link Improvement Program (CCLIP) engineering contract for the 10th Street, Main to Laurel project to TranSystems.

Kansas Department of Transportation (KDOT) City Connecting Link Improvement Program (CCLIP) awarded the City of Independence a project for Pavement Restoration, 10th Street from Main to Laurel, full depth replacement of curb, gutter, pavement, and storm sewer.

As part of the grant the engineering design has been approved for matching funds of 90%. The City has followed the KDOT selection process to select an engineering design contractor. Two proposals were received, and TranSystems Corporation was selected. The overall engineering fee is estimated at \$181,760.12 and KDOT has reviewed and finds the projected hours to be reasonable. The estimated cost to the City for work under this contract is \$18,176.01.

Motion:

On the motion of Dean Hayse, seconded by Tim Emert, the Commission approved the contract between KDOT, TranSystems and the City in the amount of \$181,760.12, and for the execution of any necessary documents.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

- E. Consider modifying the June 26, 2025 City Commission meeting to allow staff and/or Commissioners to attend the quarterly MCAC meeting at 5:30 PM in Coffeyville.

It has come to the staff's attention that the Annual MCAC Meeting in Coffeyville was rescheduled to be at the same time as your scheduled Commission meeting on June 26, 2025 at 5:30 PM. Staff has checked with the City Clerk, who has verified that at this time, there are no public hearings scheduled for that date and time. City staff suggest moving the meeting to 3 PM to allow adequate time for the Commission meeting and travel time to Coffeyville.

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Also, the 3rd Quarterly meeting is the Taste of Montgomery County Event, which has been scheduled in Cherryvale on September 18, 2025, at 5:30 PM. There is no conflict with your City Commission schedule for this event.

In addition, the 4th Quarterly meeting, which was originally scheduled to be in Cherryvale on November 20, 2025, at 5:30 PM, has been rescheduled for Independence. We were aware of the date and time for this meeting when the Commission schedule was last approved, so your Commission meeting on November 20, 2025 was previously rescheduled to 3:30 PM.

No action was taken.

V. REPORTS

A. City Board Minutes

B. Monthly Projects and Public Works Report

Engineer Garris presented the report.

C. Appropriations

VI. CITY MANAGER'S COMMENTS

Assistant City Manager Cowan gave a residential maintenance code update, an update on upcoming condemnations and the ARCO building and downtown building inspections will begin in May.

City Manager Passauer updated on what the City is doing for Love Independence Day, gave a listing on upcoming commission meetings and updated the status of the Neighborhood Revitalization Plan City.

VII. COMMISSIONERS' COMMENTS

Mayor Smith would like a review of the trees that are planted downtown.

VIII. PUBLIC CONCERNS

Adam Brubaker requested a solution to his water bill.

Motion:

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On the motion of Tim Emert, seconded by Dean Hayse the Commission approved a refund of \$705.62 upon full payment of Adam Brubaker's water bill.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

IX. EXECUTIVE SESSION

A. Discussions prior to acquisition of real estate.

Motion:

On the motion of Scott Smith, 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 6:25 in the Commission Room of City Hall.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

The open meeting resumed at 6:25 pm with no action taken.

X. ADJOURNMENT

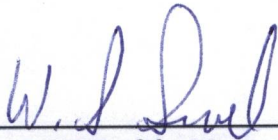
Motion:

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

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

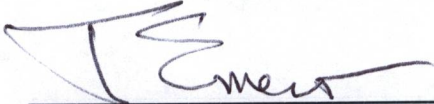
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W. Scott Smith, Mayor



Dean A. Hayse, Commissioner



Tim Emert, Commissioner

Attest:



City Clerk/Treasurer