

Minutes of the City Commission's May 22, 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; Lisa Helkenberg, Police Captain; Bridget Hammer, Dispatch Supervisor; Caleb Myers, Police Officer; Hawken Taylor, Police Officer; Jordan Bagley, IT Technician Coordinator and Lacey Lies, Finance Director.

Visitors Present: Larry McHugh, Breanne Sanford, Sherri Garris, Lisa Wilson, Lacy Franks, Jennifer Christensen, Tim Christensen, Dan Barwick, Gina Halsey, Susan Scovel and Marilyn Johnson.

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 with the addition of an executive session for consultation with an attorney on matters that would be deemed privileged in an attorney-client relationship.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

II. APPOINTMENTS

A. Opening on the Recreation Commission -- Applications Due by Noon on June 6, 2025 -- 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

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development and operation of recreational programs and facilities within the community.

The 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.

City staff is currently accepting applications from interested individuals who wish to serve on the Recreation Commission. The deadline to apply is noon, June 6, 2025 and the appointee must reside in the City limits. For more information or to apply: [Click Here](#)

B. Opening on the Planning Commission/Board of Zoning Appeals -- Applications Due by Noon on June 6, 2025 -- 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.

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.

Staff is currently seeking applications from residents who reside within the City limits who are interested in serving their community in this important capacity. The appointed individual will fill the remainder of the vacant term which expires on January 1, 2028 and may be eligible for reappointment.

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Applications are due by noon on June 6, 2025. For more information or to apply: [Click Here](#)

III. PRESENTATIONS

- A. Introduction and swearing-in of Independence Police Department's new officers, Officer Caleb Myers and Officer Hawkens Taylor.**

Officer Caleb Myers and Officer Hawkens Taylor were selected to serve the citizens of Independence as police officers. Officer Myers Graduated from the Kansas Law Enforcement Training Center's Basic Training Course on May 2nd, 2025. Officer Hawkens Taylor started with us on May 12th, 2025, coming from the City of Emporia where he served as a certified Law Enforcement Officer with the Emporia Police Department since July of 2022.

Officer Caleb Myers married his high school sweetheart, and together they have 2 beautiful children. He and his family currently reside in Cherryvale. Caleb has always had the drive to serve, help, and protect the community. Which is why he served the last 2 years working for Independence Fire/EMS, before making the switch to the Police Department. Caleb believes there's no better way to serve and protect our community than being a police officer. He looks forward to continue working here in Independence and is very excited to see where this career takes him.

Officer Hawkens Taylor transferred to the Independence Police Department after working for the Emporia Police Department for almost three years. He hopes to benefit the Independence Police Department, and the community of Independence with the experience he brings, the drive and passion he has for this job, and his leadership ability.

The City Clerk will then swear Officer Myers and Officer Taylor in: I do solemnly swear that I will support the constitution of the United States and the constitution of the state of Kansas, and faithfully discharge the duties of police officer for the City of Independence Kansas. So help me God.

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

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Nay: None

- A. Consider approval for bid for the 911 Consoles Project with Watson Consoles.

The Police Department is in need of replacing and updating the 911 Dispatch Center consoles.

Dispatch Supervisor Bridget Hammer researched vendors that could accommodate our needs. She did many Teams meetings with vendors, went to different agencies that had consoles from some of the different vendors to see how they actually function, and worked with each one to give the specifics, layouts, dimensions, equipment, electrical, etc. Watson Consoles was more than the other two, but they were the only one that could meet our needs and setup requirements.

Suggested Motion:

I move to award the 911 Consoles Project contract to Watson Consoles and authorize City staff to carry out the implementation and additional electrical or set-up, as necessary.

- B. Consider requesting proposals for a solid waste contract.

The 10 year contract for acceptance of solid waste from the City is nearly at the end of its term on September 30, 2025. Attached is a request for proposals with the goal of obtaining a new long-term contract for these services.

Suggested Motion:

I move to authorize issuance of the request for proposals for solid waste services.

- C. Consider approving a Downtown Independence Building Grant for 106-110 North 8th Street submitted by Trident Partnership LLC.

Trident Partnership LLC, a downtown developer, has purchased six downtown buildings for the purpose of renovating them. The anticipated budget for rehabilitating the building located at 106-110 North 8th is \$2.354,000. When completed, there will be three commercial spaces with four (1) bedroom and one (2) bedroom apartments.

Suggested Motion:

I move to approve Trident Partnership LLC's Downtown Independence

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Building Grant in the amount of \$25,000 for the building located at 106-110 North 8th.

- D. Consider approving a Downtown Independence Building Grant for 211 North Penn Avenue submitted by Messenger Furniture, Inc.

Messenger Furniture, Inc. has applied for the Downtown Independence Building Grant for a roof replacement at 211 North Penn Avenue. The anticipated budget for the project is \$66,770.

Suggested Motion:

I move to approve a Downtown Independence Building Grant in the amount of \$16,692.50 for Messenger Furniture, Inc., for the property located at 211 North Penn Avenue. 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.

- E. Consider modifying the 9 AM start time of the June 18, 2025 Special Commission meeting to 10 AM.

The Annual City Health Fair is scheduled for the morning of June 18, 2025 which is also the date of a Special Commission Meeting. We are requesting to modify the start time of the Special Commission meeting from 9 AM to 10 AM to allow staff additional time to finish up the health fair before the Special Commission meeting

Suggested Motion:

I move to modify the 9 AM start time of the Special Commission meeting on June 18, 2025 to 10 AM at City Hall.

- F. Consider authorizing an engineering agreement with Transystems for Playground Enhancements at Riverside Park as part of the CDBG application.

At the February 27th commission meeting, the Commission voted to approve an update to the Independence Parks Master Plan. One phase of the updated plan includes enhancements to the playground area at Riverside Park. Planned improvements feature new play equipment, safety surfacing, concrete curbing, ADA-compliant sidewalks, improved lighting, and two new picnic shelters.

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At the last Commission meeting, the Commission held a public hearing and authorized approving the grant application, which included adopting a Resolution. In addition to adopting a resolution, a signed engineering agreement is also required to be submitted along with the grant application.

Funding for these improvements has been allocated for 2025. The capital funding for this project, along with a contribution from FORPAZ, satisfies the match requirement needed to apply for a Community Development Block Grant through the Kansas Department of Commerce. For a community of our size, the maximum grant award is \$650,000.

If awarded, the grant—combined with the matching funds—would cover most of the planned upgrades to the playground area. This would represent a significant step forward in implementing the Parks Master Plan

Suggested Motion:

In addition to authorizing the adoption of a resolution for the submission of a CDBG grant application after holding a public hearing on May 8, 2025, I move to authorize an engineering agreement with TranSystems for the design and inspection services related to the Riverside Park CDBG Improvements Project

V. PUBLIC HEARING

- A. Public Hearing to consider condemnation of 200 ARCO Place as dangerous and unsafe.**

On May 16, 2023, Daniel Regan of Tulsa, Oklahoma, contacted the City to inform staff that he had acquired ownership of the building. Mr. Regan stated his intention to address ongoing concerns regarding unauthorized access to the property. City staff subsequently met with Mr. Regan, who requested an adjournment of the public hearing to allow time to develop a comprehensive plan for the building.

Mr. Regan successfully applied to the State Historic Preservation Office (SHPO) for the building's inclusion on the National Historic Registry. The local IHPRC recommended approval of the nomination on April 22, 2024, the State approved the listing on the Register of Historic Kansas Places on June 1, 2024, and the National Register listing was approved on August 5, 2024. Listing information can be found on the State's website at this link: <https://khri.kansasgis.org/index.cfm?in=125-2670-00159>.

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In recent discussions with Mr. Regan, he indicated that he is currently completing a 59-unit project in Tulsa, which has been delayed due to infrastructure issues, and anticipates beginning work on the design and applications for the Independence project this fall. According to his current schedule, design and permitting work will be completed by fall 2025, with construction anticipated to begin in 2026.

Motion:

On the motion of Tim Emert, seconded by Dean Hayse, the Commission adjourned the public hearing until December 11, 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 setting the date of July 24, 2025, for a Public Hearing to consider the condemnation of 401 S. 2nd Street as dangerous and unsafe.**

On May 3, 2025, a structure at 401 S. 2nd Street was involved in a fire that caused extensive damage to the second floor and water damage to the second and first floors. City Staff recommends setting a date of July 24, 2025, for a Public Hearing to consider condemnation as dangerous and unsafe.

Motion:

On the motion of Dean Hayse, seconded by Tim Emert, the Commission adopted a resolution setting a Public Hearing on July 24, 2025, at 5:30 PM to consider the condemnation of 401 S. 2nd as dangerous and unsafe.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

- B. Consider adopting a resolution authorizing the abatement of unhealthy and unsafe exterior conditions at 1010 N. 4th Street.**

Code Enforcement Officer Erin Musgrove has been actively working to resolve a nuisance violation at 1010 N. 4th Street since January 2025. Despite multiple efforts, including the issuance of two formal violation notices, the property owner has failed to abate the issue.

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In a show of community support, nearby residents previously donated a dumpster to assist with the removal of debris; however, additional piles of trash have accumulated outside. The nuisance conditions persist, and Officer Musgrove's continued attempts to engage the property owner have gone unanswered.

Given the ongoing accumulation of debris, the continued violation of City codes, and repeated complaints from neighboring residents, City Staff requests Commission approval of a Resolution granting authority to abate the nuisance if it is not addressed within 30 days.

Motion:

On the motion of Tim Emert, seconded by Dean Hayse, the Commission approved Resolution 2025-023 to abate 1010 N. 4th Street.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

- C. Consider adopting a resolution establishing a new Independence Home Development Grant.**

With the City Commission's number one directive for 2024 and 2025 focusing on housing, the Independence Housing Authority Board of Directors and the Housing Steering Committee have discussed various opportunities and programs focused on housing development. The Independence Home Development Program (IHDP) is an initiative that came from those discussions. The IHDP is designed to encourage residential growth and enhance community development in the City's older neighborhoods. This program offers a \$5,000 financial incentive to construct new single-family homes within designated areas of the City. For 2025, the recommendation is to fund the program with \$10,000 to support the development of two new single-family homes. We plan to request consideration of \$20,000 in the 2026 budget to support the development of four new single-family homes.

Motion:

On the motion of Dean Hayse, seconded by Tim Emert, the Commission adopted a resolution establishing the Independence Home Development Program.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

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VII. REPORTS

A. City Board Minutes

1. April 14, 2025, Independence Historic Preservation Resource Commission Minutes

B. Public Works Report

Engineer Garris presented the report.

VIII. CITY MANAGER'S COMMENTS

City Manager Passauer reminded the Commission of their upcoming meetings, opening day for Riverside Beach Aquatic Center is May 24th, City Hall will be closed for Memorial Day and sanitation services will be pushed back one day and the City Employee Health Fair will be on June 18th beginning at 7:00 AM.

IX. COMMISSIONERS' COMMENTS

None

X. PUBLIC CONCERNS

Citizens had concerns about the new fireworks ordinance approved at the previous Commission meeting.

XI. EXECUTIVE SESSION

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

Motion:

On the motion of Tim Emert, seconded by Dean Hayse, 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 found at KSA 75-4319(b)(2). The open meeting will resume at 6:19p.m. in the Commission Room of City Hall.

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Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

The open meeting resumed at 6:19 p.m. with no action taken.

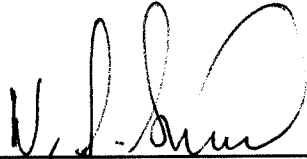
XII. ADJOURNMENT

Motion:

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

Aye: Tim Emert, Dean Hayse, Scott Smith

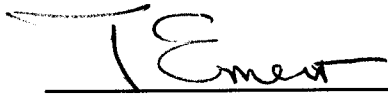
Nay: None



W. Scott Smith, Mayor

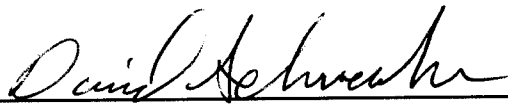


Dean A. Hayse, Commissioner



Tim Emert, Commissioner

Attest:



City Clerk/Treasurer