



- I. CALL TO ORDER
- II. MINUTES
  - a. Consider approving the minutes from the November 4, 2025 meeting.
- III. ACTION ITEMS
  - a. Reorganization
  - b. Set 2026 Meeting Time, Date, and Location
  - c. Consider updating the Extension of Service Policy.
  - d. Consider a request for an extension to the Kwikom Incentive Agreement.
- IV. DISCUSSION
  - a. Discuss the Community-Based Strategic Plan and the upcoming March 3, 2026 meeting.
- V. ADJOURNMENT



**REQUEST FOR ECONOMIC DEVELOPMENT  
ADVISORY BOARD ACTION  
CITY OF INDEPENDENCE  
FEBRUARY 3, 2026**

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**Department Finance**

**Prepared By**

**AGENDA ITEM** Consider approving the minutes from the November 4, 2025 meeting.

**SUMMARY RECOMMENDATION**

**BACKGROUND**

**SUGGESTED MOTION**

**SUPPORTING DOCUMENTS**

1. November 11, 2025 EDAB Minutes

## Minutes of the Economic Development Advisory Board's November 4, 2025 Meeting

### I. Call to Order

**Present:** Jason Curtis, Chuck Goad, Jim Kelly, Rod Zinn, Keith Stone

**Absent:** Lori Kelley, Wayne Stephany

**Ex-officio Present:** Tabatha Snodgrass, Lisa Wilson, Melissa Johnson

**Staff Present:** Lacey Lies, Kelly Passauer, David Cowan, April Nutt, Kayla Schabel

**Guests Present:** Shane Lamb, Rural ReDevelopment Group

### II. Minutes

- a. Consider approving the minutes from the October 7, 2025 meeting.

**Motion: To approve the minutes**

**On the motion of Jim Kelly, seconded by Jason Curtis the Commission Motion to approve the minutes..**

**Aye: Jason Curtis, Chuck Goad, Jim Kelly, Rod Zinn, Keith Stone**

**Nay: None**

### III. Discussion

- a. Discussion with Shane Lamb of Rural ReDevelopment Group who plans to transform the former Mercy Hospital into a mixed-use housing and commercial complex.

**April Nutt introduced Shane Lamb with Rural ReDevelopment Group LLC. Shane gave an overview of his plans for development of the old Mercy Hospital Building into mixed use space. His focus will be on residential units on the upper floors with supporting amenities in the basement and commercial space on the first floor. Plans are still in development, but generally he is hoping to have 25 market-rate units, on-site storage, gym, laundry, and pet area and 3 first floor commercial spaces.**

### IV. Adjournment

Chuck Goad asked if anyone had any old business to discuss: none

Chuck Goad asked if there was any new business to add: none

Chuck Goad asked if there were any updates: Melissa Johnson gave an update from Montgomery County Action Council (MCAC) on recent tours in the county. April Nutt gave an update on upcoming investor tours related to infill housing. Kelly Passauer noted that Project Fun Town was still in the works.

**Motion: To adjourn**

**Minutes of the Economic Development Advisory Board's November 4, 2025 Meeting**

**On the motion of Jim Kelly, seconded by Jason Curtis the Commission To adjourn.**

**Aye: Jason Curtis, Chuck Goad, Jim Kelly, Rod Zinn, Keith Stone**

**Nay: None**

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**, Chairperson**

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**, Secretary**



**REQUEST FOR ECONOMIC DEVELOPMENT  
ADVISORY BOARD ACTION  
CITY OF INDEPENDENCE  
FEBRUARY 3, 2026**

**Department Finance**

**Prepared By Lacey Lies**

**AGENDA ITEM** Reorganization

**SUMMARY RECOMMENDATION** Election of the following positions:

- Chair
- Vice Chair
- Secretary

<b>ECONOMIC DEVELOPMENT ADVISORY BOARD (3 year terms -- 7 members)</b>			
<b>Members</b>	<b>Term</b>	<b>Expires</b>	<b>Appointed</b>
Keith Stone CPA	1st term*	January 1, 2028	January 26, 2023 Replaced Paul Yaroslaski
Chuck Goad, Chair	2nd term*	January 1, 2028	October 10, 2019
Wayne Stephany, Vice Chair	2nd term*	January 1, 2028	October 10, 2019
Rod Zinn	2nd term*	January 1, 2028	January 13, 2022 Replaced Brian Hight
Lori Kelley	2nd term*	January 1, 2027	October 10, 2019
Jason Curtis, Secretary	2nd term*	January 1, 2027	October 10, 2019
Jim Kelly	1st term*	January 1, 2027	June 23, 2022
<b>Ex-Officio:</b>			
Lisa Wilson, Director Independence Chamber of Commerce		Melissa Johnson, Director Montgomery County Action Council	
Tabatha Snodgrass, Director Independence Main Street		April Nutt, Director Housing Authority	
Meeting Place: Memorial Hall Meeting Date: First Tuesday Meeting Time: 3:30 PM			

**BACKGROUND**

**SUGGESTED MOTION**

1. I move to nominate \_\_\_\_\_ for Chair of the Economic Development Advisory Board.
2. I move to nominate \_\_\_\_\_ for Vice Chair of the Economic Development Advisory Board.
3. I move to nominate \_\_\_\_\_ for Secretary of the Economic Development Advisory Board.

**SUPPORTING DOCUMENTS**



**REQUEST FOR ECONOMIC DEVELOPMENT  
ADVISORY BOARD ACTION  
CITY OF INDEPENDENCE  
FEBRUARY 3, 2026**

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**Department Finance**

**Prepared By Lacey Lies**

**AGENDA ITEM** Set 2026 Meeting Time, Date, and Location

**SUMMARY RECOMMENDATION** Current meeting time, date, and location: 1st Tuesday of the month, 3:30 pm at City Hall

**BACKGROUND**

**SUGGESTED MOTION**

**SUPPORTING DOCUMENTS**



**REQUEST FOR ECONOMIC DEVELOPMENT  
ADVISORY BOARD ACTION  
CITY OF INDEPENDENCE  
FEBRUARY 3, 2026**

**Department Admin**

**Prepared By Kelly Passauer**

**AGENDA ITEM** Consider updating the Extension of Service Policy.

**SUMMARY RECOMMENDATION** Staff recommends that the Economic Development Advisory Board review the proposed consolidated Extension of Services Policy, including the identified policy updates, and provide feedback prior to consideration by the City Commission.

**BACKGROUND**

The City's Extension of Services framework is currently governed by two separate policy actions:

**1. Policy for Extension of Services (1979)**

This policy establishes standards related to platting, water service, sanitary sewer service, storm drainage improvements, street improvements, and the issuance of building permits. These provisions primarily address development within the City limits and define how infrastructure is designed, financed, constructed, inspected, and dedicated.

**2. Resolution No. 96-21 (1996)**

This resolution modified the 1979 policy by establishing conditions under which City utility services may be extended or connected outside the City limits. These conditions include:

- A City Commission finding that the extension is in the City's best interest;
- Confirmation that adequate utility capacity exists without placing a financial burden on City residents;
- Developer responsibility for all costs associated with utility extensions;
- Mandatory pre-annexation agreements;
- Outside-the-City utility rate structures; and
- A housing reinvestment requirement tying outside-the-City utility service to residential construction or rehabilitation within the City.

Over time, these policies have been implemented through development agreements and City Commission action but have remained separate documents. The consultant has prepared a single consolidated Extension of Services Policy that integrates the 1979 policy and Resolution No. 96-21 into one organized and accessible framework.

A prior subcommittee of the Economic Development Advisory Board reviewed the City's Extension of Services framework and discussed limiting the extension of City-funded infrastructure outside the City limits, affirming that such extensions should occur rarely, require specific criteria to be met, and include mandatory pre-annexation agreements. That effort was tabled pending completion of the City's Comprehensive Plan. With adoption of the Comprehensive Plan (2024 Adopted and 2025 Revised), staff has reviewed the proposed consolidated policy and finds that it is consistent with both the Plan and the prior policy direction discussed by the Board.

Following review and feedback from the Economic Development Advisory Board, the proposed consolidated Extension of Services Policy may be presented to the City Commission for formal adoption by resolution. Prior to Commission consideration, the policy will be placed into the appropriate resolution format and subject to legal review.

## **PROPOSED POLICY UPDATES**

In addition to consolidating existing adopted policies, the proposed document includes the following targeted updates for consideration:

### **Housing Rehabilitation Investment Thresholds**

The proposed policy increases the minimum required increase in market value for rehabilitated residential structures from \$15,000 to \$30,000 and requires that the increase be not less than 50% of the structure's market value, ensuring that rehabilitation efforts result in meaningful reinvestment.

### **Housing Inspection Standards**

The proposed policy replaces outdated RECD (Rural Economic and Community Development) inspection standards with compliance based on the applicable U.S. Department of Housing and Urban Development (HUD) physical inspection standards in effect at the time of inspection. This update modernizes inspection requirements while ensuring the policy remains consistent with HUD's evolving inspection protocols, including the transition from Housing Quality Standards (HQS) to NSPIRE.

### **Eligible Development Types Outside the City Limits**

The proposed policy clarifies and expands eligible development types for outside-the-City utility service to include commercial development, in addition to single-family residential and industrial development, while retaining all existing safeguards such as capacity review, developer-funded infrastructure, and pre-annexation requirements.

### **Minimum Standards for Required In-City Residential Construction**

New residential structures constructed within the City to satisfy the housing reinvestment requirement must contain a minimum of 1,200 square feet of living space, establishing a baseline standard for housing quality and scale.

### **Clarifications and Administrative Updates**

The policy includes updated references to applicable County, State, and City regulations, clearer articulation of developer responsibilities, and consolidation of pre-annexation, rate-setting, and billing provisions for clarity and consistency.

## **CONSISTENCY WITH THE COMPREHENSIVE PLAN**

Staff has reviewed the proposed consolidated Extension of Services Policy for consistency with the City of Independence Comprehensive Plan (2025 Revised) and finds it to be

consistent with the Plan’s goals and strategies. The policy promotes efficient and orderly growth, discourages leapfrog development, encourages housing reinvestment and neighborhood revitalization, supports economic development, and advances long-term annexation and fiscal sustainability objectives.

### **RECENT IMPLEMENTATION UNDER EXISTING POLICY**

In November 2025 and January 2026, the City Commission approved a Supplemental Development Agreement and related Pre-Annexation Agreements with Diamond Property Management, LLC pursuant to Resolution No. 96-21 and existing development agreements. These actions clarified the allocation, use, and expiration of water line tap credits earned through residential construction within the City.

These actions demonstrate how the City’s adopted extension-of-services policies are currently implemented in practice and provide context for the proposed consolidation and clarification of those policies.

**SUGGESTED MOTION** I move to forward the proposed consolidated Extension of Services Policy to the City Commission with comments and feedback from the Economic Development Advisory Board for consideration.

### **SUPPORTING DOCUMENTS**

1. Extension of Service Consolidated Draft
2. 1979 EXT OF SERVICE POLICY
3. 1996 EXT OF SERVICE POLICY

**CITY OF INDEPENDENCE, KANSAS  
POLICY FOR EXTENSION OF SERVICES**

**GENERAL PROVISIONS FOR THIS POLICY**

**SECTION 1:** The extension of municipal utility services and/or the permitting of connections to municipal utility lines outside the municipal boundaries of the City of Independence may be approved when a finding is made by the City Commission of the City of Independence that it is in the best interest of the City to allow such extensions and/or connections (taps) and the following conditions are met:

1. The City has adequate capacity to provide service from its existing utility system without placing a financial burden on residents of the City to enlarge or expand such collection or distribution lines, construct water tower(s) or other facilities necessary to serve any new subdivision development or property.
2. The City will only allow such utility taps or extension of its utility system outside the municipal boundaries for single family residential, **commercial business**, and industrial developments.
3. Single family residential dwelling units receiving utility service shall be built in planned and developed subdivisions located within one-half mile from the City's then existing utility system, unless there is a finding by the governing body that it is in the best interest of the City to extend utilities beyond the one-half mile limitation.
4. Residential subdivisions shall be a minimum of **twenty acres, with a maximum density of one acre per lot**.
5. All water line extensions to serve such subdivisions shall be adequate in size to provide for both domestic use and fire protection.
6. Sanitary sewer service connections will only be provided after a complete engineering review of the ability of the collection system to receive such wastewater and that the City's treatment plant can adequately treat the additional wastewater.
7. The developer shall pay all of the cost for extension of all lines and appurtenances to service the proposed subdivision. Fire hydrants shall be provided and installed by the developer at the time of the extension of all water lines, placed at intervals specified by the City's Fire Chief.
8. For taps made directly to the existing City's sanitary sewer lines the City will **follow existing policy by charging a connection fee based upon the square footage of the area to be served as provided for in Resolution 7-78**. If the developer is required to extend the City's system there will be no such charge. For connection or extensions to existing County sanitary sewer district lines, even if such connection or extension will require approval by the City, there may be no charge as provided for above by the City.
9. All distribution or collection system lines or other appurtenances constructed or extended by the developer will be constructed to standards established by the City and, after construction and inspection, may be dedicated to the City as determined by the City. The point of

**CITY OF INDEPENDENCE, KANSAS  
POLICY FOR EXTENSION OF SERVICES**

connection to the City's utilities and routing of the extended utility lines shall be approved by the City. All line extensions shall be located only on land which has a dedicated easement or is an existing right-of-way and approval has been received by the appropriate governing body for its use.

10. The City may request any improvement that is not constructed to City standards that the developer shall take corrective action acceptable to the City or the City may require such lines be disconnected from the City utility lines and any agreement(s) shall be null and void. The developer shall pay to the City the cost incurred to review plans, specifications, and inspection at an hourly rate established by the City.
11. Any additional taps to any lines constructed by the developer whether or not such line is dedicated to the City shall be at the sole discretion of the City and follow existing City policy as established at that time. The number of taps provided to the developer for a specific subdivision development shall be shown in the plat approved by the City.
12. All lines within the subdivision shall comply with City standards and may be dedicated to the city following the same procedures for construction as provided in subsection 9 herein above.
13. The developer shall sign a pre-annexation agreement indicating that they will petition for annexation into the City when requested by the governing body, or not to contest any City annexation as may otherwise be initiated by the governing body. This agreement shall be applicable to the developer, any assigns or for any future owners of lots or tracts sold by the developer within the platted subdivision.
14. Prior to receiving authority to extend or tap City utility lines, the proposed subdivision shall be platted and meet development standards established by the City's subdivision regulations. The developer shall agree to construct all improvements requested by the City's subdivision regulations. These standards shall apply not only to the developer, but to all assigns and future lot owners. If City subdivision standards are less restrictive than the County adopted standards then the more restrictive standards shall be complied with by the developer.
15. Prior to permitting an extension or allowing taps on the water distribution system of the City, the developer shall comply with appropriate requirements to insure that sanitary sewer service either through individual septic tanks or other approved method is in compliance with the Montgomery County Health Department, Montgomery County Sanitary Code, Kansas Department of Health & Environment, and City regulations.
16. All rates for both water and sewer service shall be established by the City at the rate for properties and premises located outside the City's municipal boundaries until such area is annexed into the city.
17. All utility services provided by the City shall be billed at rates established by the governing body for all other users located outside the City's municipal boundaries, unless unusual circumstances would provide for modifications of such outside rates. The billing for such

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POLICY FOR EXTENSION OF SERVICES**

services will be by the City, unless the City chooses to modify that procedure or if such connection is provided to a special district whose agreement with the City provides for an alternate method of billing to the district and its customers.

18. In exchange for extending utility service to an area outside the City's municipal boundaries to serve a residential subdivision, the residential subdivision developer shall construct one new residential structure within the municipal boundary of the City for every ten new residential structures planned for construction in the outside the municipal boundaries and within the proposed subdivision and with a minimum of one new residential structure being built per proposed subdivision. Said residential structure shall have a minimum of 1,200 square feet of living space and shall be constructed in compliance with the City's zoning regulations and construction standards. For the purpose of defining a residential structure, a duplex, triplex, or multi-family residential building shall only count as one residential structure.
19. In lieu of the requirement to construct one or more new residential structures provided for in subsection 18 herein above, the developer may substitute one or more existing residential structures requiring rehabilitation. If an existing structure requiring rehabilitation is substituted for a new structure required herein, at the completion of the rehabilitation the market value of the rehabilitated structure must increase by a minimum of \$30,000 and in no case less than 50% of the that market value. The increase in market value shall be determined to be the difference between the market value of the residential structure at the time of acquisition and the market value of the structure should certain improvements specified by the developer be done to the property. The change in market value shall be determined by an appraisal to be done at the time of acquisition by a licensed real estate appraiser to be selected by mutual agreement by both the City and the developer. The cost of the appraisal shall be borne by the developer.

After completion of the rehabilitation of the residential structure the developer shall have a local financial institution inspect or cause to be inspected such property to determine that there are no deficiencies pertaining to the structure utilizing the applicable U.S. Department of Housing and Urban Development (HUD) physical inspection standards in effect at the time of inspection. Any deficiencies identified through that inspection shall be corrected prior to acceptance by the City.

Prior to accepting the rehabilitated structure to meet the criteria established in this resolution the City will be provided a copy of the appraisal report indicating the increase in the market value as provided for in this section and a letter with the attached inspection report from the local financial institution demonstrating that the structure is in compliance with the applicable HUD physical inspection standards in effect at the time of inspection.

20. Prior to any taps being provided to the developer to serve any residential structures outside the City limits, the developer will have completed construction of at least one new single family residential structure or an existing structure that has been rehabilitated in compliance with this agreement in the designated geographic area. An additional residential structure will also be constructed for each additional ten structures or fraction thereof planned for construction

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POLICY FOR EXTENSION OF SERVICES**

before additional taps will be approved by the City. If the developer does not comply with this requirement no new additional taps will be provided until the developer has come into compliance with this section. In lieu of completion of the structure(s) to be constructed within the City, the developer may start construction of a structure(s) outside the City if he has started construction of a home within the City and provides a bond or other security acceptable to the governing body to insure completion of the structure located in the City.

21. For all lines that are an extension of the City lines or any lines which may be dedicated to the City, the City shall require that the developer provide proof that there are no outstanding liens or encumbrances on such improvements and easements have been provided.
22. The City may require the developer to provide adequate financial statements to indicate the developer's capability to finance the proposed improvements and to develop the subdivision as provided for under any agreements.
23. The developer shall agree to hold the City harmless from any liabilities as provided for in this agreement by their action or by action of the City.
24. The developer, assigns, or future lot owners shall agree to comply with all City ordinances pertaining to the City's utility system now in effect or which may be enacted in the future, even though such subdivision or lots may be outside the corporate boundaries of the City.
25. Providing utility services to a subdivision outside the municipal boundaries is not to be construed as an obligation to provide police, fire protection or other municipal services.
26. All provisions of this policy shall be incorporated into a signed agreement between the City and the developer subject to the approval of the City Commission.

**CITY OF INDEPENDENCE, KANSAS  
POLICY FOR EXTENSION OF SERVICES**

**PLATTING REQUIREMENTS AS CONDITION FOR EXTENSION OF PUBLIC SERVICES**

- SECTION 1. GENERAL CONDITIONS:** Any development of three or more houses or an area greater than one-half acre (1/2 ac) shall be platted before any public services are extended.
- SECTION 2. PLATTING REQUIREMENT:** The platting requirements and procedures will be as specified in the City's subdivision regulations.
- SECTION 3. PLAT REVIEW:** All development sketch plans or preliminary plat shall be submitted to the City Engineer's office for review and comment at least twenty (20) days prior to the date it will be placed on the agenda of the Planning and Zoning Commission.

**CITY OF INDEPENDENCE, KANSAS  
POLICY FOR EXTENSION OF SERVICES**

**POLICY FOR THE EXTENSION OF WATER SERVICES**

**SECTION 1. GENERAL:** The City of Independence may extend water distribution lines to residential, commercial and industrial customers subject to the conditions contained in the following sections. It is the policy of the Governing Body to limit water service extensions to only those tracts of land lying within the corporate boundaries of the City of Independence, except Rural Water Districts, organized under the laws of the State of Kansas may be served by contractual agreements approved by the Governing Body.

**SECTION 2. CITY-AT-LARGE IMPROVEMENTS AND RESPONSIBILITIES:** The City-at-large may finance the construction of all water supply facilities, treatment facilities, pumping stations, storage reservoirs, elevated storage facilities, fire hydrants on public land and appurtenances thereto, and all water distribution lines, and will maintain and operate such facilities and distribution lines.

**SECTION 3. RIGHT OF THE CITY TO REFUSE WATER SERVICE EXTENSIONS:** The City reserves the right to refuse water service extensions, or to limit water service, where such extension jeopardizes water service to existing users or is financially impractical for the City to maintain or construct the new water lines with available City resources. However, the City Commission may authorize a developer to construct or contract for the construction of water lines if the following conditions are met:

- (1) All plans and specifications are approved by the City Engineer;
- (2) The developer agrees to pay for construction and engineering costs of the project; and
- (3) Developer agrees to comply with Sections 8, 9 and 12. Inspection of all water line installations shall be performed by the City Engineer or their duly authorized representative.

**SECTION 4. FIRE HYDRANTS LOCATED ON PRIVATE PROPERTY:** Fire hydrants located on private property and all line extensions to serve said hydrants shall be paid for by the user or developer and shall be installed and maintained by the user or developer in accordance with City standards.

**SECTION 5. COMPLIANCE WITH SUBDIVISION REGULATIONS:** Water distribution lines will be extended into areas in which lines are requested only if there is an approved plat or if said areas are in compliance with the subdivision regulations.

**SECTION 6. SEWAGE DISPOSAL REQUIREMENTS:** Water service shall not be extended to any user until provisions have been made to meet the sewage disposal requirements specified in the subdivision regulations and sewer use ordinance (Ord. #3325) and any amendments thereto. All central sanitary sewer improvements shall be designed and

**CITY OF INDEPENDENCE, KANSAS  
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approved by the City to connect into the City sewerage system when that system is available. Prior to commencement of any construction on proposed lot or tracts, the method of financing such sewerage improvements shall be assured and approved in writing by the City as provided in the subdivision regulations. The City Engineer's office and the Kansas Department of Health and Environment shall review and approve all plans for construction of sewerage facilities.

**SECTION 7. COMPLIANCE WITH CITY CONSTRUCTION STANDARDS:** All water distribution lines, mains, valves, private fire hydrants, and appurtenances thereto shall be constructed in accordance with plans and specifications prepared and/or approved by the City Engineer or his designated representative. The City may elect to construct or contract for the construction of all water lines.

**SECTION 8. COMPLIANCE WITH CITY CODES:** Water service may be refused to any user whose construction is not in accordance with the applicable codes of the City.

**SECTION 9. OWNERSHIP OF LINES:** Upon completion of the installation of any lines required herein, said lines shall be dedicated to the City and the City shall retain complete ownership and control of said lines. The City shall have the right to add users to extensions and to add new extensions without the consent of any party contributing to the cost of the original construction.

**SECTION 10. INDUSTRIAL DEVELOPMENT:** The City may, at its option, make or permit water line extensions to special institutional, commercial, or industrial users inside or outside the city limits where contractual or estimated revenues will justify the cost of such extensions and where said users will not overburden the water supply with excessive future demands.

**SECTION 11. UNUSUAL PRESSURE AND FLOW CONDITIONS:** The City will provide water service at the pressures existing in the water system. Any user requiring pressures higher or lower than normally maintained in the system or requiring abnormal quantities of water shall provide the additional equipment required such as pressure reduction devices, pumps, and storage facilities on the project site and may be required to pay for any additional expense to the City in providing additional transmission lines or other facilities required to meet the abnormal needs. Said additional lines or facilities shall be paid for either through contractual agreement or the payment for the additional construction. Service of a special nature will be rendered by contractual agreement, only at the option of the City, and under conditions which will not interfere with normal service to other users.

**SECTION 12. SERVICE CONNECTIONS:** When users are initially connected to a water main, the City shall make the tap and provide the meter, meter box and lid, and the meter setting equipment. The charge for the initial water connections shall be as established by the City Commission. The service line shall have its point of beginning at the tap in the main and the City may be responsible for the installation and maintenance of the

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service line to 1' behind the curb line and the Water Department shall install a curb stop and meter box of suitable size.

**SECTION 13. REPAIR OR REPLACEMENT OF SERVICE LINES:** The City shall provide for the repair or replacement of existing service lines from one foot (1 ft) behind the curb stop to the main at no cost to the property owner. Only licensed plumbers may work on the City water system on public property; however, the City Water Department may do plumbing work on public property when deemed necessary.

**SECTION 14. BASIS OF DETERMINING CONSTRUCTION COSTS:** Construction costs shall include the cost of preparing engineering plans and specifications, acquisition of easements and right-of-way, supervision and inspection of the project, actual construction costs, cost of litigation, interest on temporary financing, and any other administrative costs the City shall incur as a result of the project.

**SECTION 15. AMENDMENTS:** This policy may be amended by action of the Governing Body.

**CITY OF INDEPENDENCE, KANSAS  
POLICY FOR EXTENSION OF SERVICES**

**POLICY FOR THE EXTENSION OF SANITARY SEWER LINES**

- SECTION 1. GENERAL:** The City may extend sanitary sewer lines to residential, commercial and industrial users subject to the conditions contained in the following sections. It is the policy of the Governing Body to limit sewer extensions to only those tracts of land lying within the corporate boundaries of the City of Independence.
- SECTION 2. CITY-AT-LARGE IMPROVEMENTS:** The City-at-large may finance the construction of interceptor mains, trunk mains and sewage treatment facilities, may finance that portion of the construction of a line in excess of eight inches (8"), may finance that portion of a force main or lift station that will service greater area than the service area requested, and will maintain and operate all treatment facilities, pump stations and collection lines.
- SECTION 3. RIGHT OF CITY TO REFUSE LINE EXTENSIONS:** The City reserves the right to refuse sanitary sewer line extensions where such extensions are financially impractical from a construction, maintenance or operational perspective.
- SECTION 4. DEVELOPER OR USER IMPROVEMENT:** The developer or user shall pay for the installation of all gravity sanitary sewer lines eight inches (8") or less in size. If lift stations and force mains are required in order to serve said user, a benefit district may be established for the purpose of assessing the cost of such improvements. The City may accept petitions for special assessment to finance the cost of such improvements unless otherwise excepted in this policy.
- SECTION 5. SUBDIVISION REQUIREMENTS:** Sanitary sewer lines will be extended into areas in which lines are requested only if said areas are in compliance with the subdivision regulations.
- SECTION 6. COMPLIANCE WITH CITY CONSTRUCTION STANDARDS:** All sanitary sewer lines, force mains, lift stations and appurtenances thereto shall be constructed in accordance with plans and specifications prepared by or approved by the City Engineer. Plans and specifications shall be prepared based on design standards approved by the Governing Body. No contracts for construction shall be awarded and no construction shall be commenced until said plans and specifications shall have been approved by the City Engineer and the Kansas Department of Health and Environment. Inspection of all sanitary sewer line installations shall be performed by the City Engineer or his duly authorized representative.
- SECTION 7. COMPLIANCE WITH CITY CODES:** Sewer service may be refused to any user whose construction is not in accordance with the building and construction codes and regulations of the City.
- SECTION 8. LINE EXTENSIONS TO ISOLATED SUBDIVISIONS AND USERS:** The City may, at its option, serve isolated subdivisions and users in which case the developer or user shall

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POLICY FOR EXTENSION OF SERVICES**

pay for all collection lines serving the subdivision or user from the nearest existing line which the City deems adequate in size to serve such subdivision or user. Said connecting lines shall not be financed by special assessments. The City may assume the additional cost of the installation of lines in excess of eight inches (8").

**SECTION 9. OWNERSHIP OF LINES:** Upon completion of the installation of any lines required herein, said lines shall be dedicated to the City and the City shall retain complete ownership and control of said lines. The City shall have the right to add users to the extension and to add new extensions without the consent of any party contributing to the cost of the original construction.

**SECTION 10. INDUSTRIAL DEVELOPMENT:** The City may, at its option, make or permit sewer line extensions to special institutional, commercial, or industrial users where contractual or estimated revenue will justify the cost of such extensions and where said users will not overburden the collection or treatment facilities with excessive future demands.

**SECTION 11. BASIS OF DETERMINING CONSTRUCTION COSTS:** Construction costs shall include the cost of preparing engineering plans and specifications, acquisition of easements and right-of-way, supervision and inspection of the project, actual construction costs, cost of litigation, interest on temporary financing, and any other administrative costs the City shall incur as a result of the project.

**SECTION 12. AMENDMENTS:** This policy may be amended by action of the Governing Body.

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**POLICY FOR STORM DRAINAGE IMPROVEMENTS**

- SECTION 1. GENERAL:** The City encourages the use of open storm drainage throughout the community.
- SECTION 2. CITY-AT-LARGE IMPROVEMENTS:** The city-at-large may finance the construction of bridges, boxes, box culverts, culverts, inlets and manhole within the street right-of-way and may finance that portion of an open ditch, swale, concrete channel or pipe in excess of a ten-year design storm.
- SECTION 3. DEVELOPER IMPROVEMENTS:** The developer shall finance all drainage improvements required by a ten-year design storm or less whether such improvements are open channel, concrete channel or pipe. The developer may use benefit district financing for storm drainage improvements if this method is approved by the City.
- SECTION 4. SUBDIVISION REQUIREMENTS:** A storm drainage plan including all calculations shall be prepared for all new sub- divisions by a licensed professional engineer and submitted with all preliminary plats.
- SECTION 5. MAINTENANCE OF STORM DRAINAGE IMPROVEMENTS:** All enclosed storm drainage improvements shall be maintained by the City. Open drainageways shall be protected by drainage easements and said drainageways shall be mowed and maintained by the adjacent property owners. No buildings, non-drainage structures, fences or other similar obstructions shall be built or installed in drainage easements.
- SECTION 6. COMPLIANCE WITH CITY CONSTRUCTION STANDARDS:** All open and enclosed storm drainage improvements shall be constructed in accordance with plans and specifications prepared by or approved by the Engineering Department. Plans and specifications shall be prepared based on design standards approved by the Governing Body. No contracts for construction shall be awarded and no construction shall be commenced until said plans have been approved by the Engineering Department.
- SECTION 7. BASIS OF DETERMINING CONSTRUCTION COSTS:** Construction costs shall include the cost of preparing engineering plans and specifications, acquisition of easements and right-of-way, supervision and inspection of the project, actual construction costs, cost of litigation, interest on temporary financing, and any administrative costs the City shall incur as a result of the project.
- SECTION 8. AMENDMENTS:** This policy may be amended by action of the Governing Body.

**CITY OF INDEPENDENCE, KANSAS  
POLICY FOR EXTENSION OF SERVICES**

**POLICY FOR THE CONSTRUCTION OF STREET IMPROVEMENTS**

- SECTION 1. GENERAL:** The City requires, as provided for in the subdivision regulations, the paving, signing, and street lighting of all streets within the City.
- SECTION 2. COMPLIANCE WITH CITY CONSTRUCTION STANDARDS:** All streets, alleys, street signs, street lighting, and sidewalks shall be constructed or installed in accordance with plans and specifications prepared by or approved by the Engineering Department. No contracts for construction shall be awarded and no construction shall be commenced until said plans and specifications shall have been approved by the Engineering Department. Inspection of all street, alley, street sign, street lighting or sidewalk installation or construction shall be performed by the Engineering Department or its duly authorized representative.
- SECTION 3. BASIS OF DETERMINING CONSTRUCTION COSTS:** Construction costs shall include the cost of preparing engineering plans and specifications, supervision and inspection of the project, actual construction costs, costs of easements, costs of litigation, interest on temporary financing, and any other administrative costs the City shall incur as a result of the project.
- SECTION 4. ARTERIAL STREETS:** The developer or adjacent property owner shall pay for the construction of that portion of an arterial street that is equivalent to the local street standards as to curb and gutter, pavement width and pavement thickness. Additional width of pavement, thickness of pavement and other construction in excess of the local street standards shall be paid for by the City-at-large. If, however, the lots adjacent to an arterial street have granted complete access control to the public and do not have direct driveway access to the arterial street, the City-at-large may assume the entire cost of the construction of the arterial street.
- SECTION 5. COLLECTOR STREETS:** The developer or adjacent property owner shall pay for the construction of that portion of a collector street that is equivalent to the local street standards as to curb and gutter, pavement width and pavement thickness. Additional pavement width, pavement thickness and other construction in excess of the local street standards may be paid for by the City-at-large.
- SECTION 6. LOCAL STREETS AND ALLEYS:** The developer or adjacent property owner shall pay for the construction of all local streets and alleys. The local streets and alleys shall be designed and constructed in accordance with standards approved by the Governing Body.
- SECTION 7. INTERSECTIONS:** The City-at-large may pay for the construction of street and alley intersections.
- SECTION 8. METHOD OF FINANCING:** The developer or adjacent property owner may contract with the City or a private contractor to build said streets, alleys, and sidewalks or may

**CITY OF INDEPENDENCE, KANSAS  
POLICY FOR EXTENSION OF SERVICES**

submit petitions to the City for the City to construct such improvements and assess the costs against the property, as provided by law.

**SECTION 9. STREET SIGNS:** All traffic signals and street signs may be financed by the City-at-large.

**SECTION 10. STREET LIGHTING:** Street lighting may be financed by the City-at-large except decorative fixtures which will be financed by the developer or property owners.

**SECTION 11. SIDEWALKS:** Sidewalks, as required in the subdivision regulations, shall be installed by the developer in accordance with standards and specifications approved by the Governing Body. The developer may submit petitions for the City to construct such improvements and assess the costs against the property, as provided by law.

**SECTION 12. BUILDING PERMITS:** No building permit shall be issued on a lot on an unimproved street until such time as the street and utilities are installed or the installation of all required improvements has been guaranteed by a bond, petitions or other similar surety and until street grades have been established.

**SECTION 13. AMENDMENTS:** This policy may be amended by action of the Governing Body.

**CITY OF INDEPENDENCE, KANSAS  
POLICY FOR EXTENSION OF SERVICES**

**POLICY FOR THE ISSUANCE OF BUILDING PERMITS IN RESIDENTIAL DEVELOPMENTS**

- SECTION 1. GENERAL:** No building permit shall be issued until the provisions of the subdivision regulations have been met.
- SECTION 2. ISSUE RESTRICTIONS:** No building permits will be issued in the City of Independence until the construction or installation of water and sewer mains are complete and contracts have been awarded for street paving with the number of days established for completion of the project.
- SECTION 3. EXCEPTIONS:** Persons authorized building permits before all essential utility services and streets are completed must comply with the following conditions:
- (1) Access to the building site is possible without interfering with a city improvement project.
  - (2) Applicant understands and agrees that access to the building site will not be available at all times.
  - (3) Access to the building site will not damage previously installed services.
  - (4) Employee parking must be provided which will not hinder the work on city improvement projects.
  - (5) Temporary electrical service will be provided without crossing any existing or proposed street improvement.
  - (6) Applicant agrees that violation of any of the above conditions will be cause to suspend the building permit until all necessary installations of streets and utility services are complete.
- SECTION 4. AMENDMENTS:** This policy may be amended by action of the Governing Body.

CITY OF INDEPENDENCE, KANSAS

POLICY FOR EXTENSION OF SERVICES

*Adopted*

August 21, 1979

PLATTING REQUIREMENTS AS CONDITION  
FOR EXTENSION OF PUBLIC SERVICES

- SECTION 1. GENERAL CONDITIONS: Any development of three or more houses or an area greater than one-half acre shall be platted before any public services are extended.
- SECTION 2. PLATTING REQUIREMENT: The platting requirements and procedures will be as specified in the city's subdivision regulations.
- SECTION 3. PLAT REVIEW: All development sketch plans or preliminary plat shall be submitted to the City Engineer's office for review and comment at least twenty (20) days prior to the date it will be placed on the agenda of the Planning and Zoning Commission.

POLICY FOR THE EXTENSION OF WATER SERVICES  
CITY OF INDEPENDENCE, KANSAS

- SECTION 1. GENERAL: The City of Independence may extend water distribution lines to residential, commercial and industrial customers subject to the conditions contained in the following sections. It is the policy of the Governing Body to limit water service extensions to only those tracts of land lying within the corporate boundaries of the City of Independence, except Rural Water Districts, organized under the laws of the State of Kansas may be served by contractual agreements approved by the Governing Body.
- SECTION 2. CITY-AT-LARGE IMPROVEMENTS AND RESPONSIBILITIES: The city-at-large may finance the construction of all water supply facilities, treatment facilities, pumping stations, storage reservoirs, elevated storage facilities, fire hydrants on public land and appurtenances thereto, and all water distribution lines, and will maintain and operate such facilities and distribution lines.
- SECTION 3. RIGHT OF THE CITY TO REFUSE WATER SERVICE EXTENSIONS: The City reserves the right to refuse water service extensions, or to limit water service, where such extension jeopardizes water service to existing users or is financially impractical for the City to maintain or construct the new water lines with available City resources. However, the

City Commission may authorize a developer to construct or contract for the construction of water lines if the following conditions are met:

- (1) All plans and specifications are approved by the City Engineer;
- (2) The developer agrees to pay for construction and engineering costs of the project; and
- (3) Developer agrees to comply with Sections 8, 9 and 12.

Inspection of all water line installations shall be performed by the City Engineer or his duly authorized representative.

SECTION 4. FIRE HYDRANTS LOCATED ON PRIVATE PROPERTY: Fire hydrants located on private property and all line extensions to serve said hydrants shall be paid for by the user or developer and shall be installed and maintained by the user or developer in accordance with City standards.

SECTION 5. COMPLIANCE WITH SUB-DIVISION REGULATIONS: Water distribution lines will be extended into areas in which lines are requested only if there is an approved plat or if said areas are in compliance with the sub-division regulations.

SECTION 6. SEWAGE DISPOSAL REQUIREMENTS: Water service shall not be extended to any user until provisions have been made to meet the sewage disposal requirements specified in the sub-division regulations and sewer use ordinance (Ord. #3325) and any amendments thereto. All central sanitary sewer improvements shall be designed and approved by the City to

connect into the City sewerage system when that system is available. Prior to commencement of any construction on proposed lot or tracts, the method of financing such sewerage improvements shall be assured and approved in writing by the City as provided in the sub-division regulations. The City Engineer's office and the Kansas Department of Health and Environment shall review and approve all plans for construction of sewerage facilities.

SECTION 7. COMPLIANCE WITH CITY CONSTRUCTION STANDARDS: All water distribution lines, mains, valves, private fire hydrants, and appurtenances thereto shall be constructed in accordance with plans and specifications prepared and/or approved by the City Engineer or his designated representative. The City may elect to construct or contract for the construction of all water lines.

SECTION 8. COMPLIANCE WITH CITY CODES: Water service may be refused to any user whose construction is not in accordance with the applicable codes of the City.

SECTION 9. OWNERSHIP OF LINES: Upon completion of the installation of any lines required herein, said lines shall be dedicated to the City and the City shall retain complete ownership and control of said lines. The City shall have the right to add users to extensions and to add new extensions without the consent of any party contributing to the cost of the original construction.

SECTION 10. INDUSTRIAL DEVELOPMENT: The City may, at its option, make or permit water line extensions to special institutional,

commercial, or industrial users inside or outside the city limits where contractual or estimated revenues will justify the cost of such extensions and where said users will not overburden the water supply with excessive future demands.

**SECTION 11. UNUSUAL PRESSURE AND FLOW CONDITIONS:** The City will provide water service at the pressures existing in the water system. Any user requiring pressures higher or lower than normally maintained in the system or requiring abnormal quantities of water shall provide the additional equipment required such as pressure reduction devices, pumps, and storage facilities on the project site and may be required to pay for any additional expense to the City in providing additional transmission lines or other facilities required to meet the abnormal needs. Said additional lines or facilities shall be paid for either through contractual agreement or the payment for the additional construction. Service of a special nature will be rendered by contractual agreement, only at the option of the City, and under conditions which will not interfere with normal service to other users.

**SECTION 12. SERVICE CONNECTIONS:** When users are initially connected to a water main, the City shall make the tap and provide the meter, meter box and lid, and the meter setting equipment. The charge for the initial water connections shall be as established by the City Commission. The service line shall

have its point of beginning at the tap in the main and the City may be responsible for the installation and maintenance of the service line to 1' behind the curb line and the Water Department shall install a curb stop and meter box of suitable size.

SECTION 13. REPAIR OR REPLACEMENT OF SERVICE LINES: The City shall provide for the repair or replacement of existing service lines from 1' behind the curb stop to the main at no cost to the property owner. Only licensed plumbers may work on the City water system on public property; however, the City Water Department may do plumbing work on public property when deemed necessary.

SECTION 14. BASIS OF DETERMINING CONSTRUCTION COSTS: Construction costs shall include the cost of preparing engineering plans and specifications, acquisition of easements and right-of-way, supervision and inspection of the project, actual construction costs, cost of litigation, interest on temporary financing, and any other administrative costs the City shall incur as a result of the project.

SECTION 15. AMENDMENTS: This policy may be amended by action of the Governing Body.

POLICY FOR THE EXTENSION OF SANITARY SEWER LINES

CITY OF INDEPENDENCE, KANSAS

- SECTION 1. GENERAL: The City may extend sanitary sewer lines to residential, commercial and industrial users subject to the conditions contained in the following sections. It is the policy of the Governing Body to limit sewer extensions to only those tracts of land lying within the corporate boundaries of the City of Independence.
- SECTION 2. CITY-AT-LARGE IMPROVEMENTS: The city-at-large may finance the construction of interceptor mains, trunk mains and sewage treatment facilities, may finance that portion of the construction of a line in excess of eight inches (8"), may finance that portion of a force main or lift station that will service a greater area than the service area requested, and will maintain and operate all treatment facilities, pump stations and collection lines.
- SECTION 3. RIGHT OF CITY TO REFUSE LINE EXTENSIONS: The City reserves the right to refuse sanitary sewer line extensions where such extensions are financially impractical from a construction, maintenance or operational perspective.
- SECTION 4. DEVELOPER OR USER IMPROVEMENT: The developer or user shall pay for the installation of all gravity sanitary sewer lines eight inches (8") or less in size. If lift stations and force mains are required in order to serve said user, a benefit district may be established for the purpose of assessing the cost of such improvements. The City may

accept petitions for special assessment to finance the cost of such improvements unless otherwise excepted in this policy.

SECTION 5. SUB-DIVISION REQUIREMENTS: Sanitary sewer lines will be extended into areas in which lines are requested only if said areas are in compliance with the sub-division regulations.

SECTION 6. COMPLIANCE WITH CITY CONSTRUCTION STANDARDS: All sanitary sewer lines, force mains, lift stations and appurtenances thereto shall be constructed in accordance with plans and specifications prepared by or approved by the City Engineer. Plans and specifications shall be prepared based on design standards approved by the Governing Body. No contracts for construction shall be awarded and no construction shall be commenced until said plans and specifications shall have been approved by the City Engineer and the Kansas Department of Health and Environment. Inspection of all sanitary sewer line installations shall be performed by the City Engineer or his duly authorized representative.

SECTION 7. COMPLIANCE WITH CITY CODES: Sewer service may be refused to any user whose construction is not in accordance with the building and construction codes and regulations of the City.

SECTION 8. LINE EXTENSIONS TO ISOLATED SUBDIVISIONS AND USERS: The City may, at its option, serve isolated sub-divisions and users in which case the developer or user shall pay for all collection lines serving the sub-division or user from the

nearest existing line which the City deems adequate in size to serve such sub-division or user. Said connecting lines shall not be financed by special assessments. The City may assume the additional cost of the installation of lines in excess of eight inches (8").

SECTION 9. OWNERSHIP OF LINES: Upon completion of the installation of any lines required herein, said lines shall be dedicated to the City and the City shall retain complete ownership and control of said lines. The City shall have the right to add users to the extension and to add new extensions without the consent of any party contributing to the cost of the original construction.

SECTION 10. INDUSTRIAL DEVELOPMENT: The City may, at its option, make or permit sewer line extensions to special institutional, commercial, or industrial users where contractual or estimated revenue will justify the cost of such extensions and where said users will not overburden the collection or treatment facilities with excessive future demands.

SECTION 11. BASIS OF DETERMINING CONSTRUCTION COSTS: Construction costs shall include the cost of preparing engineering plans and specifications, acquisition of easements and right-of-way, supervision and inspection of the project, actual construction costs, cost of litigation, interest on temporary financing, and any other administrative costs the City shall incur as a result of the project.

SECTION 12. AMENDMENTS: This policy may be amended by action of the Governing Body.

## POLICY FOR STORM DRAINAGE IMPROVEMENTS

### CITY OF INDEPENDENCE

- SECTION 1. GENERAL: The City encourages the use of open storm drainage throughout the community.
- SECTION 2. CITY-AT-LARGE IMPROVEMENTS: The city-at-large may finance the construction of bridges, boxes, box culverts, culverts, inlets and manholes within the street right-of-way and may finance that portion of an open ditch, swale, concrete channel or pipe in excess of a ten year design storm.
- SECTION 3. DEVELOPER IMPROVEMENTS: The developer shall finance all drainage improvements required by a ten year design storm or less whether such improvements are open channel, concrete channel or pipe. The developer may use benefit district financing for storm drainage improvements if this method is approved by the City.
- SECTION 4. SUB-DIVISION REQUIREMENTS: A storm drainage plan including all calculations shall be prepared for all new subdivisions by a licensed professional engineer and submitted with all preliminary plats.
- SECTION 5. MAINTENANCE OF STORM DRAINAGE IMPROVEMENTS: All enclosed storm drainage improvements shall be maintained by the City. Open drainageways shall be protected by drainage

easements and said drainageways shall be mowed and maintained by the adjacent property owners. No buildings, non-drainage structures, fences or other similar obstructions shall be built or installed in drainage easements.

SECTION 6. COMPLIANCE WITH CITY CONSTRUCTION STANDARDS: All open and enclosed storm drainage improvements shall be constructed in accordance with plans and specifications prepared by or approved by the Engineering Department. Plans and specifications shall be prepared based on design standards approved by the Governing Body. No contracts for construction shall be awarded and no construction shall be commenced until said plans have been approved by the Engineering Department.

SECTION 7. BASIS OF DETERMINING CONSTRUCTION COSTS: Construction costs shall include the cost of preparing engineering plans and specifications, acquisition of easements and right-of-way, supervision and inspection of the project, actual construction costs, cost of litigation, interest on temporary financing, and any administrative costs the City shall incur as a result of the project.

SECTION 8. AMENDMENTS: This policy may be amended by action of the Governing Body.

POLICY FOR THE CONSTRUCTION OF STREET IMPROVEMENTS  
CITY OF INDEPENDENCE, KANSAS

- SECTION 1. GENERAL: The City requires, as provided for in the subdivision regulations, the paving, signing, and street lighting of all streets within the City.
- SECTION 2. COMPLIANCE WITH CITY CONSTRUCTION STANDARDS: All streets, alleys, street signs, street lighting, and sidewalks shall be constructed or installed in accordance with plans and specifications prepared by or approved by the Engineering Department. No contracts for construction shall be awarded and no construction shall be commenced until said plans and specifications shall have been approved by the Engineering Department. Inspection of all street, alley, street sign, street lighting or sidewalk installation or construction shall be performed by the Engineering Department or its duly authorized representative.
- SECTION 3. BASIS OF DETERMINING CONSTRUCTION COSTS: Construction costs shall include the cost of preparing engineering plans and specifications, supervision and inspection of the project, actual construction costs, costs of easements, costs of litigation, interest on temporary financing, and any other administrative costs the City shall incur as a result of the project.
- SECTION 4. ARTERIAL STREETS: The developer or adjacent property owner shall pay for the construction of that portion of an arterial street that is equivalent to the local street standards as to curb and gutter, pavement width and pave-

ment thickness. Additional width of pavement, thickness of pavement and other construction in excess of the local street standards shall be paid for by the city-at-large. If, however, the lots adjacent to an arterial street have granted complete access control to the public and do not have direct driveway access to the arterial street, the city-at-large may assume the entire cost of the construction of the arterial street.

SECTION 5. COLLECTOR STREETS: The developer or adjacent property owner shall pay for the construction of that portion of a collector street that is equivalent to the local street standards as to curb and gutter, pavement width and pavement thickness. Additional pavement width, pavement thickness and other construction in excess of the local street standards may be paid for by the city-at-large.

SECTION 6. LOCAL STREETS AND ALLEYS: The developer or adjacent property owner shall pay for the construction of all local streets and alleys. The local streets and alleys shall be designed and constructed in accordance with standards approved by the Governing Body.

SECTION 7. INTERSECTIONS: The city-at-large may pay for the construction of street and alley intersections.

SECTION 8. METHOD OF FINANCING: The developer or adjacent property owner may contract with the City or a private contractor to build said streets, alleys, and sidewalks or may submit petitions to the City for the City to construct such

improvements and assess the costs against the property, as provided by law.

SECTION 9. STREET SIGNS: All traffic signals and street signs may be financed by the city-at-large.

SECTION 10. STREET LIGHTING: Street lighting may be financed by the city-at-large except decorative fixtures which will be financed by the developer or property owners.

SECTION 11. SIDEWALKS: Sidewalks, as required in the sub-division regulations, shall be installed by the developer in accordance with standards and specifications approved by the Governing Body. The developer may submit petitions for the City to construct such improvements and assess the costs against the property, as provided by law.

SECTION 12. BUILDING PERMITS: No building permit shall be issued on a lot on an unimproved street until such time as the street and utilities are installed or the installation of all required improvements has been guaranteed by a bond, petitions or other similar surety and until street grades have been established.

SECTION 13. AMENDMENTS: This policy may be amended by action of the Governing Body.

POLICY FOR THE ISSUANCE OF BUILDING PERMITS  
IN RESIDENTIAL DEVELOPMENTS

SECTION 1. GENERAL: No building permit shall be issued until the provisions of the sub-division regulations have been met.

SECTION 2. ISSUE RESTRICTIONS: No building permits will be issued in the City of Independence until the construction or installation of water and sewer mains are complete and contracts have been awarded for street paving with the number of days established for completion of the project.

SECTION 3. EXCEPTIONS: Persons authorized building permits before all essential utility services and streets are completed must comply with the following conditions:

- (a) Access to the building site is possible without interfering with a city improvement project.
- (b) Applicant understands and agrees that access to the building site will not be available at all times.
- (c) Access to the building site will not damage previously installed services.
- (d) Employee parking must be provided which will not hinder the work on city improvement projects.
- (e) Temporary electrical service will be provided without crossing any existing or proposed street improvement.

(f) Applicant agrees that violation of any of the above conditions will be cause to suspend the building permit until all necessary installations of streets and utility services are complete.

SECTION 4. AMENDMENTS: This policy may be amended by action of the Governing Body.

Resolution No. 96-21

WHEREAS; the City of Independence wishes to encourage growth and development within its corporate boundaries and environs.

WHEREAS; the City of Independence has additional capacity within a portion of its utility systems which it desires to make available to encourage growth and development in certain locations outside the City limits, to ultimately enhance the growth of the City.

WHEREAS; this resolution requires improvements to the housing stock and revitalization of certain neighborhoods within the City, as a condition of receiving City utility services outside the City limits.

NOW, THEREFORE BE IT RESOLVED by the governing body of the City of Independence that certain portions of the City of Independence, Kansas policy for extension of services which was adopted August 21, 1979 is modified as it relates to extension or allowing of taps to City utilities outside the City limits. This policy is modified to allow for the extension or taps to the City utility system when a finding is made by the City Commission that it is in the best interest of the City of Independence to allow such taps and the following conditions are met:

1. The City has adequate capacity to provide service from its existing utility system without placing a financial burden on residents of the City, enlarge such collection or distribution lines, construct water tower(s) or other facilities to serve any new subdivision development.
2. The City will allow such taps or extension of its utility system outside the City limits for single family residential and industrial developments.
3. Single family residential units receiving utility service shall be built in planned and developed subdivisions located within one half mile from the City's then existing utility system, unless there is a finding by the governing body that it is in the best interest of the City to extend utilities beyond the one-half mile limitation.
4. Residential subdivisions shall be a minimum of twenty acres, with a maximum density of one acre per lot.
5. All water line extensions to serve such subdivisions shall be adequate in size to provide for both domestic use and fire protection.
6. Sanitary sewer service connections will only be provided after a complete engineering review of the ability of the collection system to receive such waste water and that the City's treatment plant can adequately treat the additional waste water.

7. The developer shall pay all of the cost for extension of all lines and appurtenances to service the proposed subdivision. Fire hydrants shall be provided and installed by the developer at the time of the extension of all water lines, placed at intervals specified by the City's Fire Chief.
8. For taps made directly to the existing City's sanitary sewer lines the City will follow existing policy by charging a connection fee based upon the square footage of the area to be served as provided for in Resolution 7-78. If the developer is required to extend the City's system there will be no such charge. For connection or extensions on existing County sanitary sewer district lines, even if such connection or extension will require approval by the City, there may be no charge as provided for above by the City.
9. All distribution or collection system lines or other appurtenances constructed or extended by the developer will be constructed to standards established by the City and after construction and inspection may be dedicated to the City as determined by the City. The point of connection to the City's utilities and routing of the extended utility lines shall be approved by the City. All line extensions shall be located only on land which has a dedicated easement or is an existing right-of-way and approval has been received by the appropriate governing body for its use.
10. The City may request any improvement that is not constructed to City standards that the developer shall take corrective action acceptable to the City or the City may require such lines be disconnected from the City utility lines and any agreement(s) shall be null and void. The developer shall pay to the City the cost incurred to review plans, specifications and inspection at an hourly rate established by the City.
11. Any additional taps to any lines constructed by the developer whether or not such line is dedicated to the City shall be at the sole discretion of the City and follow existing City policy as established at that time. The number of taps provided to the developer for a specific subdivision development shall be shown in the plat approved by the City.
12. All lines within the subdivision shall comply to City standards and may be dedicated to the City following the same procedures for construction as provided in section 9.
13. The developer shall sign a preannexation agreement indicating that they will petition for annexation into the City when requested by the governing body, or not to contest any City annexation as may otherwise be initiated by the governing body. This agreement shall be applicable to the developer, any assigns or for any future owners of lots or tracts sold by the developer within the platted subdivision.

14. Prior to receiving authority to extend or tap City utility lines the proposed subdivision shall be platted and meet development standards established by the City's subdivision regulations. The developer shall agree to construct all improvements requested by the City's subdivision regulations. These standards shall apply not only to the developer, but to all assigns and future lot owners. If City subdivision standards are less restrictive than the County adopted standards then the more restrictive standards shall be complied with by the developer.
15. Prior to permitting an extension or allowing taps on the water distribution system of the City the developer shall comply with appropriate requirements to insure that sanitary sewer service either through individual septic tanks or other approved method is in compliance with the Montgomery County Health Department, Kansas Department of Health & Environment and City regulations.
16. All rates for both water and sewer service shall be established by the City at an outside rate until such area is annexed into the City.
17. All utility services provided by the City shall be billed at rates established by the governing body for all other outside users, unless unusual circumstances would provide for modifications of such outside rates. The billing for such services will be by the City, unless the City chooses to modify that procedure or if such connection is provided to a special district whose agreement with the City provides for an alternate method of billing to the district and its customers.
18. In exchange for extending utility service to an area outside the City limits, the residential subdivision developer shall construct one new residential structure to comply with the City's zoning regulations and construction standards for every ten new residential structures planned for construction in the outside subdivision. For the purpose of defining a structure; a duplex, triplex or multi-family housing development will only count as one structure.
19. In lieu of the requirement to construct a new residential structure provided for in section 18, the developer may substitute an existing residential structure requiring rehabilitation. If an existing structure requiring rehabilitation is substituted for a new structure, at the completion of the rehabilitation the market value of the rehabilitated structure must increase by a minimum of \$15,000. The increase in market value shall be determined to be the difference between the market value of the residential structure at the time of acquisition and the market value of the structure should certain improvements specified by the developer be done to the property. The

change in market value shall be determined by an appraisal to be done at the time of acquisition by a licensed real estate appraiser to be selected by mutual agreement by both the City and the developer. The cost of the appraisal shall be borne by the developer.

After completion of the rehabilitation of the residential structure the developer shall have a local financial institution inspect or cause to be inspected such property to determine that there are no deficiencies pertaining to the structure utilizing RECD (Rural Economic and Community Development) inspection standards. Those standards are attached. Any deficiencies based upon that inspection will be corrected.

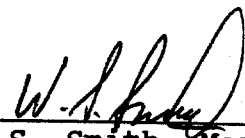
Prior to accepting the rehabilitated structure to meet the criteria established in this resolution the City will be provided a copy of the appraisal report indicating the increase in the market value as provided for in this section and a letter with the attached inspection report from the local financial institution demonstrating that the structure is in compliance with RECD inspection standards.

20. The location for the construction of these additional new residential structures or existing residential structures within the City shall be in an area designated for revitalization which boundary shall be Main Street to the north, City limits to the south, Cement Street to the east and the Union Pacific tracks to the west. The developer should construct residential units in neighborhoods in transition or currently being effected by blight.
21. Prior to any taps being provided to the developer to serve any residential structures outside the City limits, the developer will have completed construction of at least one new single family residential structure or an existing structure that has been rehabilitated in compliance with this agreement in the designated geographic area. An additional residential structure will also be constructed for each additional ten structures or fraction thereof planned for construction before additional taps will be approved by the City. If the developer does not comply with this requirement no new additional taps will be provided until the developer has come into compliance with this section. In lieu of completion of the structure(s) to be constructed within the City, the developer may start construction of a structure(s) outside the City if he has started construction of a home within the City and provides a bond or other security acceptable to the governing body to insure completion of the structure located in the City.
22. For all lines that are an extension of the City lines or any lines which may be dedicated to the City, the City shall require that the developer provide proof that there are no

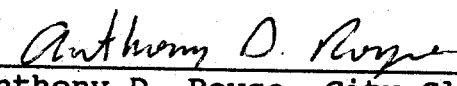
outstanding liens or encumbrances on such improvements and easements have been provided.

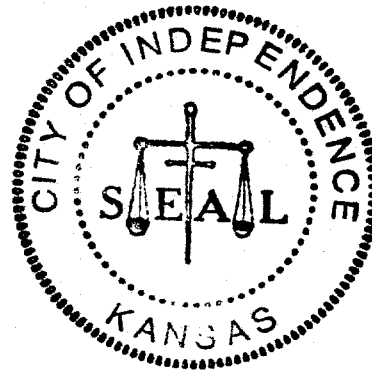
23. The City may require the developer to provide adequate financial statements to indicate the developer's capability to finance the proposed improvements and to develop the subdivision as provided for under any agreements.
24. The developer shall agree to hold the City harmless from any liabilities as provided for in this agreement by their action or by action of the City.
25. The developer, assigns or future lot owners shall agree to comply with all City ordinances pertaining to the City's utility system now in effect or which may be enacted in the future, even though such subdivision or lots may be outside the corporate boundaries of the City.
26. Providing utility services to a subdivision outside the City limits is not to be construed as an obligation to provide police, fire protection or other municipal services.
27. All provisions of this policy shall be incorporated into a signed agreement between the City and the developer subject to the approval of the City Commission.
28. Resolution 95-33 is hereby repealed.

Adopted by the governing body of Independence, Kansas, this 30th day of May, 1996.

  
\_\_\_\_\_  
W.S. Smith, Mayor  
City of Independence, KS

**ATTEST:**

  
\_\_\_\_\_  
Anthony D. Royse, City Clerk





**REQUEST FOR ECONOMIC DEVELOPMENT  
ADVISORY BOARD ACTION  
CITY OF INDEPENDENCE  
FEBRUARY 3, 2026**

**Department Admin**

**Prepared By Kelly Passauer**

**AGENDA ITEM** Consider a request for an extension to the Kwikom Incentive Agreement.

**SUMMARY RECOMMENDATION**

**BACKGROUND** The City has received a request from JMZ Corporation, d/b/a KwiKom Communications (“KwiKom”) seeking an extension of the Grant Award Agreement entered into by the City and KwiKom on December 28, 2023 (“Agreement”). Under the Agreement, the “Commencement Date” is defined as the date on which *any* permit for the work was issued by the City. The first permit for the project was issued on January 2, 2024, establishing the contractual Commencement Date. Although additional permits were later issued, including the most recent permit on October 8, 2025, the Agreement ties the project schedule to the first permit issued. Under the Agreement, KwiKom was required to complete the project within two (2) years of the Commencement Date.

The Agreement also provides that if KwiKom is unable to complete the project due to factors beyond its reasonable control constituting a Force Majeure event, the completion deadline would automatically extend for six (6) months. To invoke this provision, KwiKom must submit written notice identifying the nature of the event, its expected duration, and the specific obligations affected; and must provide verbal status reports as reasonably requested by the City. KwiKom has made a general assertion of Force Majeure that first appears in 2024, but did not submit the required written notice or provide any follow-up information, nor has KwiKom expedited resolution of any such event. Based on the information available, it is unlikely KwiKom’s asserted circumstances would constitute a Force Majeure event under the Agreement.

Under the terms of the Agreement, if KwiKom does not certify completion of the project by the applicable deadline, KwiKom must repay the City all grant funds received, with repayment due within six (6) months after the contractual completion date. If repayment is timely, no interest will accrue; if repayment is not timely, the outstanding amount will accrue interest at ten percent (10%) per annum from the due date until paid.

There may be multiple combinations of resolutions to the issues presented. But the Economic Development Advisory Board (“EDAB”) and the City have at least a couple of clear options:

1. Acknowledge the contractual Commencement Date, note the absence of a valid Force Majeure claim, and determine that no extension of the Grant Award Agreement is available. Under this option, KwiKom may continue work under its existing permit, which was issued on October 8, 2025 and, pursuant to City permitting requirements, is valid for six (6) months, expiring on April 7, 2026, subject to all applicable City requirements and the express terms of the Agreement. This would afford KwiKom additional time to complete construction without requiring reimbursement of previously disbursed grant funds. The City could elect to pay the final \$50,000 installment upon completion, negotiate liquidated damages for failure to complete by April 7, 2026, and/or negotiate a reduced final installment due to delays.

2. If completion by April 7, 2026 is not feasible, the City may elect to negotiate a new agreement with KwiKom containing substantially similar terms and conditions as the original Agreement, but with an extended date for completion, subject to EDAB recommendation and City Commission approval.
3. Acknowledge the contractual Commencement Date, determine that no valid Force Majeure claim has been made, and conclude that no extension of the Agreement is available, resulting in a breach. Under this option, KwiKom would be subject to the repayment obligations described above.

## **SUGGESTED MOTION**

### **Motion Option 1 – Enforce Repayment**

I move that the Economic Development Advisory Board recommend that the City Commission determine that the Grant Award Agreement with JMZ Corporation d/b/a KwiKom Communications expired on January 2, 2026, that no valid Force Majeure claim was made, and that the City enforce the repayment provisions of the Agreement consistent with its terms.

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### **Motion Option 2 – Allow Work Under Permit Only**

I move that the Economic Development Advisory Board recommend that the City Commission acknowledge that the Grant Award Agreement with JMZ Corporation d/b/a KwiKom Communications expired on January 2, 2026, decline to extend or revive the Agreement, and allow KwiKom to continue construction under its existing permit, which expires April 7, 2026, subject to all applicable City requirements and further action by the City Commission.

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### **Motion Option 3 – Authorize a New Agreement**

I move that the Economic Development Advisory Board recommend that the City Commission acknowledge that the Grant Award Agreement with JMZ Corporation d/b/a KwiKom Communications expired on January 2, 2026, and authorize staff and the City Attorney to negotiate a new agreement for consideration by the Economic Development Advisory Board and the City Commission.

## **SUPPORTING DOCUMENTS**



**Economic Development Advisory Board  
CITY OF INDEPENDENCE  
February 3, 2026**

**Department Admin**

**Director Approval Kelly Passauer**

**AGENDA ITEM** Discuss the Community-Based Strategic Plan and the upcoming March 3, 2026 meeting.

**BACKGROUND** The City is currently undertaking development of a Community-Based Strategic Plan to guide policy direction, organizational priorities, and economic development efforts over the next decade. The City has engaged Mackey Smith of Vickrey Leadership Solutions to lead this effort, which includes a structured, multi-phase public engagement process.

The strategic planning process begins with a comprehensive community survey (Phase 1), which staff and the consultant tentatively plan to launch on February 6, 2026. Survey results will provide the foundational data used to shape subsequent engagement and planning activities.

Following completion of the survey, the project will move into Phase 2: Community Engagement & Dialogue, which is designed to gather targeted qualitative input from advisory boards, stakeholder groups, and community leaders.

As part of Phase 2 of the Community-Based Strategic Plan, staff will conduct a focus group session with the Economic Development Advisory Board during its next regular meeting on Tuesday, March 3, 2026, at 3:30 PM. The session will be facilitated by the City's consultant, Mackey Smith, and will replace the standard meeting format for that date.

The purpose of the focus group is to obtain focused input on economic development priorities, challenges, opportunities, and long-term strategies that should inform the City's strategic direction, building upon themes identified through the community survey.

In addition, staff plans to invite members of the Independence Chamber of Commerce Board of Directors to participate in this focus group, subject to availability. Including Chamber leadership will help ensure coordination between the City's strategic planning efforts and the broader business community, while avoiding duplication of outreach and providing a more comprehensive economic perspective.

Input received during the focus group will be documented by the consultant and synthesized with feedback from other focus groups, community meetings, and stakeholder interviews. These themes will be used to inform the identification of strategic priority areas, goals, and strategies in the draft Community-Based Strategic Plan.

**SUPPORTING DOCUMENTS**