

Minutes of the City Commission's February 26, 2026 Meeting

I. REGULAR SESSION

Commissioners Present: Mayor Dean Hayse, Vice-Mayor Tim White, Commissioner Scott Smith

City Staff Present: Kelly Passauer, City Manager; David Cowan, Assistant City Manager; Jeff Chubb, City Attorney; David Schwenker, City Clerk/City Treasurer; John Garris, City Engineer/Director of Public Works; Daniel Bowers, Police Captain; Scott Patton, Park and Zoo Director and Derek Bryant, Assistant Chief of Police.

Visitors Present: Larry McHugh, Breanna Sanford, Sherri Garris, Lisa Drumeller, Hector Guevara, Jason Elmore, Ned Stichman, Darnell Lawrie and Lisa Wilson.

A. Call to Order

Mayor Hayse called the meeting to order.

B. Pledge of Allegiance to the United States of America

C. Adoption of Agenda

Motion:

On the motion of Scott Smith, seconded by Tim White, the Commission adopted the agenda.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

II. PRESENTATIONS

A. Introduction and swearing in of the Independence Police Department's new Patrol Captain, Captain Daniel Bowers.

Daniel Bowers was selected to serve the citizens of Independence as Patrol Captain. Captain Bowers previously worked for the Independence Police Department starting in June 2016. He held the rank of Sergeant when he left the department in March 2025.

Daniel is originally from the area and has been involved in Law Enforcement since June 2016. Daniel says, "This career is not only a job for me, but a passion. As Captain, I aim to assist the Patrol Division while working

Minutes of the City Commission's February 26, 2026 Meeting

alongside the great officers of the Independence Police Department, and holding an elevated standard, so the community is cared for to the highest degree.

City Clerk Schwenker administered the oath.

III. CONSENT AGENDA

Motion:

On the motion of Scott Smith, seconded by Tim White, the Commission adopted the consent agenda.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

- A. Consider approving the minutes of the February 3rd and 12th regular and Joint Commission and Planning and Zoning special meetings

Suggested Motion:

I move to approve the minutes of the February 3rd and 12th 2026 regular and joint Commission and Planning and Zoning special meeting.

- B. Consider approval of installation of a new ADA ramp at the corner of Walnut Street and South Pennsylvania Avenue.

A citizen has requested installation of an ADA-compliant curb ramp at the intersection of Walnut Street and South Pennsylvania Avenue in order to provide an ADA-accessible path of travel to the downtown area. Currently, this location does not contain a compliant pedestrian ramp. The installation of a new ADA-compliant will improve accessibility, pedestrian safety, and connectivity to downtown amenities.

The work will be completed under the City's existing unit-price concrete contract.

Suggested Motion:

I move to approve installation of an ADA-compliant ramp at the corner of Walnut Street and South Pennsylvania Avenue.

- C. Consider authorizing bidding for replacement salt/sand spreaders.

The Public Works Department utilizes truck-mounted salt/sand spreaders for

winter roadway treatment and ice control operations. Existing equipment dates to the 1990s, and has failed. Staff proposes to solicit bids for one (1) new municipal-grade salt/sand spreader, with the option to purchase one (1) additional identical unit within ninety (90) days of award, subject to funding availability.

The bid package includes specifications for municipal-duty equipment and provides an option for trade-in of existing equipment, if deemed advantageous to the City.

Bids would be due at 2pm on April 2, 2026.

Suggested Motion:

I move to authorize staff to advertise for sealed bids for the purchase of up to two truck-mounted salt/sand spreaders for the Public Works Department.

- D. Consider authorizing bidding for installation of a vehicle service pit at the Public Works facility.

The City of Independence operates and maintains a fleet of municipal vehicles that require routine service and preventative maintenance. To improve efficiency and technician safety, staff recommends installation of a chair-depth vehicle service pit at the Public Works maintenance facility. Proposals are due by 2:00 pm on April 2, 2026.

The project includes the construction of a sealed, reinforced concrete service pit approximately 17 to 21 feet long, approximately 40 inches wide, and approximately 4 feet deep, with an aluminum trade-bright pit liner. The pit will include a chair track system with a technician chair, a filter storage system with built-in sliding racks, and an integrated drain pan system for fluid collection. The service pit will also include a removable aluminum cover for safety when the pit is not in use, along with safety features such as non-slip surfaces and adequate lighting.

Bids will be returned to the Commission for consideration at a future meeting.

Suggested Motion:

I move to authorize requesting proposals for installation of a vehicle service pit at the Public Works maintenance facility.

- E. Consider a change order for the Beech Street culvert project.

Work on the replacement of the Beech Street culvert encountered unsuitable material below the location for the new box culvert. Per the contract, the contractor has suggested to use a quantity of a unit price item, Slope Protection, at \$20 per square yard to account for the stabilization efforts. GFT, our inspector, concurs. This would create a change order increase of \$1,280 on this project.

Suggested Motion:

I move to authorize the change order with J. Graham Construction, Inc. in the unit price amount of \$1,280 and for the execution of any necessary documents.

- F. Consider a change order for the Sanitary Sewer Improvements project.

Work on the connection to the existing sewer encountered failed sewer pipe in the Westminster and Fourth Street location. 42 feet of 8" sewer was required to be replaced. GFT, our inspector, has received a lump-sum price of \$6,580 to correct the issue and recommends City acceptance.

Suggested Motion:

I move to authorize Change Order Number 1 with Tri-Star Utilities, Inc. in the lump-sum price amount of \$6,850 and for the execution of any necessary documents.

- G. Consider bidding for the construction of containment at the Municipal Airport for the fueling system.

The City's plan for Spill Prevention, Control, and Countermeasures (SPCC) requires that we meet federal standards for containment at the airport fuel tanks. This project will be a part of the required containment for our airport fueling system. At this point, only the tank is being bid in an attempt to find the most competitive cost for the City. Bids would be opened at 10:00 AM on April 2, 2026.

Suggested Motion:

I move to authorize bidding for the construction of containment at the Independence Municipal Airport for the fueling system.

IV. PUBLIC HEARING

Minutes of the City Commission's February 26, 2026 Meeting

- A. Public Hearing to consider condemnation of 112 W. Oak Street as dangerous and unsafe.

The property located at 112 W. Oak Street has previously been reported to the City due to concerns regarding the condition of the primary structure, occupancy without utilities, and related environmental issues. Upon inspection, City staff observed that both structures are in disrepair, pose safety hazards, and have not had active City utility services since August 10, 2024.

The owner appeared at the prior meeting and informed the Commission that he was in contact with a real estate company and was preparing to sell the home. City staff has not received any further updates since that meeting.

Motion:

On the motion of Scott Smith, seconded by Dean Hayse, the Commission adopted a resolution condemning 112 W. Oak Street as dangerous and unsafe.

Aye: Dean Hayse, Scott Smith

Nay: None

Abstain: Tim White

- B. Public Hearing to consider condemnation of 208 S. Earl Street as dangerous and unsafe.

The property located at 208 S. Earl has been previously reported to the City for issues involving the condition of the primary structure and environmental issues. Upon inspection, City staff observed that both structures are in significant disrepair, pose safety hazards, and no city utilities since 9/21/2016.

City staff recommends condemnation of the structure as dangerous and unsafe.

Motion:

On the motion of Tim White, seconded by Scott Smith, the Commission adopted a resolution condemning 208 S. Earl Street as dangerous and unsafe.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

Minutes of the City Commission's February 26, 2026 Meeting

- C. Public Hearing to consider condemnation of 417 N. 2nd Street as dangerous and unsafe.

The property located at 417 N. 2nd has been previously reported to the City for issues involving the condition of the primary structure and environmental issues. Upon inspection, City staff observed that both structures were in disrepair, posed safety hazards, and reported the presence of animals in the house. The City has had no contact from the owner of the residence.

City staff recommends condemnation of the structure as dangerous and unsafe.

Motion:

On the motion of Scott Smith, seconded by Tim White, the Commission adopted a resolution condemning 417 N. 2nd Street as dangerous and unsafe.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

- D. Public Hearing to consider condemnation of 500 N. Park Blvd as dangerous and unsafe.

The property located at 500 N. Park Blvd has previously been reported to the City due to concerns regarding the condition of the primary structure and associated environmental issues. Upon inspection, City staff observed that both structures are in disrepair, present safety hazards, and do not appear to have active utility services connected.

City staff recommends that the City Commission adjourn the meeting until December 10, 2026, to provide a group of citizens the opportunity to nominate the structure to the State Historical Society for historic designation and to raise funds for the repair and potential relocation of the structure.

Motion:

On the motion of Tim White, seconded by Scott Smith, the Commission adjourned the Public Hearing until December 10, 2026, at 5:30 pm.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

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

Minutes of the City Commission's February 26, 2026 Meeting

On December 12, 2024, the City Commission voted to adjourn the condemnation hearing to June 26, 2025. The property owner was instructed to meet with the Building Inspector, submit a detailed timeline for proposed repairs, and either begin repairs or initiate the structure's removal. The owner has submitted a building permit and is working with the building inspector. Based on these circumstances, the staff recommended adjourning the hearing to November 13, 2025. On October 27, 2025, I requested the Building Inspector to give an update. I've attached photos, and the building inspector reports no work has occurred since he was last at the building. The owner informed the commission that he was experiencing financial difficulties and would begin work soon on the structure.

Motion:

On the motion of Scott Smith, seconded by Tim White, the Commission adopted a Resolution condemning 512 W. Myrtle Street as dangerous and unsafe.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

- F. Public Hearing to consider condemnation of 620 W. Chestnut Street as dangerous and unsafe.

On June 16, 2025, City staff conducted an exterior inspection of the property and confirmed that all debris and trash had been removed. Hardboard material had been installed along the exterior foundation, sealing the masonry wall. However, staff was unable to verify whether the necessary repairs to the basement foundation wall had been completed.

At the previous meeting, JOYCO indicated that the building inspector had inspected the basement wall. Upon review with the building inspector, it was determined that the work was performed without inspection. Although he had been on-site for unrelated work and observed that foundation repairs had been made, no inspection was requested.

Since that meeting, I have been in contact with ML at the office, and they are aware of the Public Hearing. I have not been given an update on the project and the status.

Motion:

On the motion of Tim White, seconded by Scott Smith, the Commission adjourned the Public Hearing until June 25, 2026 at 5:30 p.m...

Minutes of the City Commission's February 26, 2026 Meeting

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

- G. Public Hearing to consider condemnation of 720 W. Maple Street as dangerous and unsafe.

The property located at 720 W. Maple Street has previously been reported to the City for issues involving the condition of the primary structure, occupancy without utilities and environmental issues. Upon inspection, City staff observed that both structures are in significant disrepair, pose safety hazards, and no city utilities since 8/14/1998.

Motion:

On the motion of Scott Smith, seconded by Tim White, the Commission adopted a resolution condemning 720 W. Maple Street as dangerous and unsafe.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

- H. Public Hearing to consider condemnation of 908 E. Maple Street as dangerous and unsafe.

The property at 908 E. Maple Street has previously been reported to the City for issues with the condition of the primary structure and environmental concerns. Upon inspection, City staff observed that both structures are in disrepair, pose safety hazards, and have no utilities as of 11/30/2005.

City staff recommends condemnation of the structure as dangerous and unsafe.

Motion:

On the motion of Tim White, seconded by Scott Smith, the Commission adopted a resolution condemning 908 E. Maple Street as dangerous and unsafe.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

Minutes of the City Commission's February 26, 2026 Meeting

- I. Public Hearing to consider condemnation of 917 W. Sycamore Street as dangerous and unsafe.

The property located at 917 W. Sycamore has previously been reported to the City for issues involving the condition of the primary structure and environmental issues. Upon inspection, City staff observed that both structures are in significant disrepair, pose safety hazards, and no city utilities since 9/13/2015.

City staff recommends condemnation of the structure as dangerous and unsafe.

Motion:

On the motion of Scott Smith, seconded by Tim White, the Commission adopted a resolution condemning 917 W. Sycamore Street as dangerous and unsafe.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

- J. Public Hearing to consider condemnation of 1018 E. Birch Street as dangerous and unsafe.

The property located at 1018 E. Birch Street has been previously reported to the City for issues involving the condition of the primary structure, occupancy without utilities and environmental issues. Upon inspection, City staff observed that both structures are in significant disrepair, pose safety hazards, and have not had city utilities for several years, necessitating that the City enforce its Ordinance requiring the residence to be vacated.

City staff recommends condemnation of the structure as dangerous and unsafe.

Motion:

On the motion of Tim White, seconded by Scott Smith, the Commission adopted a resolution condemning 1018 E. Birch Street as dangerous and unsafe.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

Minutes of the City Commission's February 26, 2026 Meeting

- K. Public Hearing to consider condemnation of 1020 W. Chestnut Street as dangerous and unsafe.

The property located at 1020 W. Chestnut Street has previously been reported to the City for issues involving the condition of the primary structure and environmental issues. Upon inspection, City staff observed that both structures are in significant disrepair, pose safety hazards, and no city utilities since 8/15/2012.

City staff recommends condemning the property as dangerous and unsafe.

Motion:

On the motion of Scott Smith, seconded by Tim White, the Commission adopted a resolution condemning 1020 W. Chestnut Street as dangerous and unsafe.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

- L. Public Hearing to consider condemnation of 1028 W. Chestnut Street as dangerous and unsafe.

The property located at 1028 W. Chestnut Street has previously been reported to the City for issues involving the condition of the primary structure, occupancy without utilities and environmental issues. Upon inspection, City staff observed that both structures are in disrepair, pose safety hazards, and have not had city utilities since 9/15/2020.

The Building Inspector reports that work is occurring on the structure: Indy Heat and Air is installing a heating system, cleaning up all vegetation and exterior trash and debris, installing windows, and working on interior finishes and repairs.

Motion:

On the motion of Scott Smith, seconded by Tim White, the Commission adjourned the Public Hearing until April 23, 2026, at 5:30 p.m.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

- M. Public Hearing to consider condemnation of 1104 W. Chestnut Street as dangerous and unsafe.

The property located at 1104 W. Chestnut has previously been reported to the City for concerns regarding the condition of the primary structure and related environmental issues. Upon inspection, City staff observed that both structures on the property were in significant disrepair, posed safety hazards, and lacked active utility services as of November 9, 2020.

The City was subsequently contacted by Luis Aguiar, who purchased 1100 and 1104 W. Chestnut from Chris Canneles. On February 6, 2026, a building permit was issued for 1104 W. Chestnut to allow for remodeling of the structure. The proposed project timeline is approximately seven weeks to complete. City staff is recommending to adjourn the Public Hearing.

Motion:

On the motion of Tim White, seconded by Scott Smith, the Commission adjourned the Public Hearing for 1104 W. Chestnut until May 14, 2026, at 5:30 pm.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

V. ITEMS FOR COMMISSION ACTION

- A. Consider approval of a Funding Agreement for the 201 N. Pennsylvania Project between the City of Independence, US Federal Properties Co., LLC (Developer), and 201 Investors LLC (Owner).

US Federal Properties Co., LLC has requested that the City consider approval of certain development incentives related to property located at 201 N. Pennsylvania (the "Project"). If the City elects to proceed, a Development Agreement will be negotiated to define the rights and responsibilities of the parties and to implement any approved incentives.

The proposed Funding Agreement establishes a mechanism for reimbursement of costs incurred by the City in connection with:

- Legal notices and required publications
- Staff time associated with negotiation and preparation of a Development Agreement

Minutes of the City Commission's February 26, 2026 Meeting

- Preparation of related resolutions and ordinances
- Outside legal, financial, and planning services

Under the revised agreement, 201 Investors LLC, as Owner, is responsible for establishing and maintaining the deposit with the City. The owner will provide an initial deposit of \$10,000. The City will draw from this deposit to pay eligible third-party costs. If the balance reaches \$2,500 and the process is not complete, the owner must replenish the fund in an amount estimated by the City to cover remaining anticipated expenses. Any unused funds will be returned to the owner upon completion or termination of the process.

The Developer remains the requesting party for the incentives and Development Agreement, but the financial obligation for payment of charges under this Funding Agreement is assigned to the Owner.

Approval of this Funding Agreement does not obligate the City to approve any incentives, establish a RHID, or enter into a Development Agreement. It solely establishes a cost-recovery structure to protect the City during evaluation and negotiation of the proposed project.

Motion:

On the motion of Scott Smith, seconded by Tim White, the Commission approved the Funding Agreement for the 201 N. Pennsylvania Project between the City of Independence, US Federal Properties Co., LLC, and 201 Investors LLC, and authorized the Mayor to sign the Agreement on behalf of the City.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

- B. Consider adopting a Resolution authorizing the abatement of unhealthy and unsafe exterior conditions at 1117 N. 11th Street.

The property located at 1117 N. 11th Street, owned by David Parker and Chere Parker, is in violation of City Code § 42-66 due to the accumulation of debris, junk, vehicle parts, and appliances in the yard.

Over the past five years, the Code Enforcement Officer has issued multiple notices to the property owners regarding these violations, which ultimately resulted in a City-initiated abatement completed in October 2024. Despite

that abatement, the property owners have again allowed conditions to develop that constitute a nuisance.

These ongoing violations have generated numerous complaints from neighboring residents regarding the unsightly and unsafe conditions of the property. The City has made repeated efforts to work with the property owners to achieve voluntary compliance; however, those efforts have been unsuccessful.

Given the recurring nature of the violations and continued noncompliance, it is necessary for the City to proceed with abatement in order to protect public health and safety.

Motion:

On the motion of Tim White, seconded by Scott Smith, the Commission adopted a resolution authorizing the abatement of unhealthy and unsafe exterior conditions at 1117 N. 11th Street, Independence, Kansas, and to bill or assess the costs of such abatement against the property in accordance with City Code 42-69.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

- C. Consider a recommendation from the Independence Tree Board to update the downtown tree plan.

In the past few years, a combination of factors have made clear the need for an update to the existing downtown tree plan. The primary issue is the increased bird activity from a flock of starlings that have claimed the downtown trees as a roosting habitat. This has led to significant sanitary issues for patrons and business owners. Following the most recent Neewollah event, bird deterrent sound boxes were installed at several downtown intersections, and bird activity has reduced. However, this improvement has also coincided with seasonal leaf drop in the fall, so it is difficult to determine until the season changes how effective the bird deterrent sound boxes have been. A contributing factor to this issue is that many of the trees have outgrown the space, and would need to be replaced regardless of the birds.

The park director has compiled three plan options for the downtown treescape. All tree species recommended in the plan would feature an upright columnar growth habit. They would not have the carrying capacity to host as many birds as the current trees, and would not have overhanging branches for birds to perch on. Any droppings from birds nesting or roosting in the trees should fall directly into the grate. It is worth noting that though

the change in trees will greatly reduce the number of available roosting sites on the sidewalks and parking areas, there will almost certainly continue to be bird activity in the downtown area. Finding a solution to the broader issue will require addressing multiple other problems.

Tree Plan Options

1. Replace all existing trees with tree species that have a narrow, columnar growth habit.
2. Replace half of the existing trees with tree species that have a narrow, columnar growth habit. Replace the remaining trees with smaller, drought-tolerant flowering shrubs.
3. Remove all existing trees from the downtown area to be replaced with increased hanging baskets, artificial shade, seating, art, or empty space.

At an Independence Tree Board meeting in November, approximately twenty members of the downtown business community attended to voice their concerns. The consensus of the business community was that all trees should be removed from the downtown area and be replaced with small shrubs, urns, or hanging baskets, though some acknowledged that a slender, upright tree species would also be acceptable. The Independence Tree Board has reviewed the options and recommends option two, which includes replacing approximately half of the existing trees with tree species featuring a narrow upright growth habit, and replacing the rest with drought-tolerant flowering shrubs. The board believes that this is a compromise with the opinions received by the downtown business community. The plan reduces the number of trees in the downtown area, while also keeping some trees and providing more greenery and color. The board believes that this combination will help mitigate the issue of bird activity in the downtown area.

It is worth noting that several years ago, trees were previously removed from the downtown area in response to complaints regarding bird droppings. Shortly thereafter, the broader community expressed dissatisfaction with the resulting lack of shade and visual character, describing downtown as overly barren. In addition, in 2014 Roger Brooks emphasized the importance of downtown street trees in his community assessment of Independence after the downtown trees had been removed, noting that street trees significantly enhance downtown ambiance, increase the perceived value of the area, and encourage people to spend more time and money in downtown districts. His assessment highlighted that successful downtowns consistently include street trees as a key element of beautification and economic vitality. In response, a community-led Trees Up campaign was launched in 2015, which successfully raised funds to eventually replant downtown street trees. The tree species

selected at that time were intended to be less attractive to birds and were also recommended for eventual replacement once they reached a certain size.

Given this history and guidance, staff is cautious about repeating past actions by making hasty decisions regarding tree removal. The previous removal did not achieve the desired downtown appearance and was not well received by the community. For these reasons, staff supports maintaining an appropriate level of trees within the downtown area while continuing to explore management strategies to address maintenance and nuisance concerns.

Motion:

On the motion of Tim White, seconded by Scott Smith, the Commission accepted the tree board's recommendation to update the downtown tree plan.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

- D. Consider prohibiting parking on the south side of West Oak Street between 10th Street and 21st Street.

The City of Independence was contacted by the USD 446 Transportation Department regarding a safety concern on West Oak Street that is creating a serious issue for school buses traveling along the corridor. Vehicles parked along the south side of the street are encroaching into the travel lane. Due to the width of school buses, this condition forces drivers into the oncoming traffic lane, which is a violation of USD 446 school bus operating policy.

The City has also received complaints from nearby residents indicating that parked vehicles along West Oak Street are creating traffic hazards. However, the City's current policy for installing no-parking signage on narrow streets does not apply to this location due to the overall width of the roadway.

The USD 446 Transportation Manager and Superintendent have requested that, on days when school is in session, a no-parking zone be enforced on the south side of Oak Street between 10th Street and 21st Street from 6:30 a.m. to 5:00 p.m.

City staff have reviewed the request and are in agreement with the school district that no parking should be enforced as requested. While the resident request for a no-parking restriction on West Oak Street does not meet current policy guidelines and therefore requires City Commission approval,

staff notes that vehicles parked along West Oak Street routinely force traffic into the oncoming lane. Additionally, this corridor is used by numerous large delivery trucks serving South Middle School, further increasing safety concerns.

Motion:

On the motion of Dean Hayse, seconded by Scott Smith, the Commission tabled an amendment to City Code section 102-116, authorizing No Parking.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

- E. Consider adopting an ordinance amending the City Code for basement water meter installation.

The City of Independence was contacted by a downtown business owner requesting water meters for upper-story apartments. Under the current code, the City is not permitted to install water meters within basements in the Downtown Historic District. Due to narrow sidewalks and limited space downtown, installing external vaults to accommodate multiple meters would be both costly and difficult to implement.

The proposed ordinance amendment would allow the Water/Sewer Department to install meters in the basement; however, it requires the building owner to extend the service line one foot outside the building and to provide all necessary piping, manifolds, and exterior access for metering antenna cables to connect to exterior antennas. City water crews would be responsible for installing the meters on the prepared manifolds and ensuring network connection to the City metering network.

Motion:

On the motion of Scott Smith, seconded by Tim White, the Commission adopted Ordinance No. 4501 amending Ordinance 4393 to allow for water meters to be installed in the basements in the Downtown Historic District.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

- F. Consider authorizing a contract increase in the amount of \$46,800 with Water Resource Solutions, LLC for inspection of the Verdigris River Dam.

Previous inspections of the low-head dam at the Verdigris have been at the

surface and visual. When the previous RCA for design award and bidding were approved, it was thought that to fully inspect the dam, a diversion structure would be necessary. Water Resource Solutions, LLC (WRS), was selected and provided a proposal for design and bidding of the project.

The initial proposal totaled \$358,833, but the initial contract was approved at \$158,000, which was planned to get the project to a state where the overall construction of the diversion structure along with the correction of known issues could be bid. Additional work would then be awarded as necessary as the project progressed.

However, during the bidding, a company, Ballard Marine Construction (Ballard), that had received plans requested a meeting. During that meeting, they proposed that they could gain the information needed for determination of needed repairs without building a dam using divers and remotely operated bathymetric surveys with higher definition than initially used.

This has the potential to save the City hundreds of thousands of dollars, especially if minimal work is required to do repairs, as many repairs may not require a dam at all. As the inspection is an engineering function, staff requested WRS to contract with Ballard directly. Although the initial WRS contract was \$158,000, and the Ballard proposal is \$94,550, WRS is only requesting an increase of \$46,800 in their contract since WRS is currently under budget. This would increase their budget to \$204,800.

At the conclusion of this phase, WRS would provide an additional proposal to bid repairs beyond those known as discovered during the investigation.

Motion:

On the motion of Tim White, seconded by Scott Smith, the Commission authorized an increase in the amount of \$46,800 with Water Resource Solutions, LLC for engineering and inspection services.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

- G. Consider approving an agreement between the City of Independence, the Independence Housing Authority (IHA), See-Kan Cooperative Development, Inc. (See-Kan), and 3D Homes, Inc. for the construction of a 3D printed home at 401 North 10th Street.

See-Kan Cooperative Development, Inc. and the Independence Housing Authority have partnered with 3D Homes, Inc. to construct a model 3D printed home on the City-owned property located at 401 North 10th Street.

3D printed homes represent an emerging form of residential construction that utilizes specialized equipment to print structural wall systems using concrete materials. This project is intended to introduce this technology to the Independence community and surrounding region.

Upon completion, the home will be made available for public tours and educational purposes for a minimum of 180 days. During this demonstration period, residents, contractors, developers, and housing stakeholders will have the opportunity to view the construction method and finished product firsthand. The goal is to evaluate the feasibility, durability, cost effectiveness, and potential future use of 3D printed housing within the community.

Following the demonstration period, the home will be listed for sale on the open market.

Ownership Structure

The City of Independence owns the property at 401 North 10th Street.

Because state law limits the ability of the Independence Housing Authority to hold title to real estate in this type of transaction, the property and all improvements will remain in the name of the City of Independence during construction and during the demonstration period.

The agreement does not transfer ownership of the land or the home to IHA or See-Kan. The City will remain the titled owner until the property is sold to a third-party purchaser. At closing, the City, as the record owner, will execute the deed to the buyer.

Project Roles and Responsibilities

- **City of Independence**
Contributes the use of the City-owned lot and retains title to the property until resale. The City is not contributing construction funds.
- **Independence Housing Authority (IHA)**
Contributes one-half of the construction cost and administers contractor payments.
- **See-Kan Cooperative Development, Inc.**
Contributes one-half of the construction cost.

- **3D Homes, Inc.**
Constructs the 3D printed home in accordance with approved plans and specifications.

Construction Cost

The total construction cost is \$150,000.

- IHA will contribute \$75,000.
- See-Kan will contribute \$75,000.
- The City will not contribute construction funding.

Distribution of Sale Proceeds

When the property is sold:

1. Customary closing costs will be deducted from the sale price.
2. The first \$150,000 of net proceeds will be split evenly between IHA and See-Kan to reimburse their construction investment.
3. Any net proceeds above \$150,000 will be distributed as follows:
 - 25% to IHA
 - 25% to See-Kan
 - 50% to 3D Homes, Inc.

If the property sells for less than \$150,000 (after closing costs), IHA and See-Kan will absorb the loss proportionally. The City does not bear financial risk related to construction costs.

Motion:

On the motion of Scott Smith, seconded by Tim White, the Commission authorized the Mayor to sign the "Agreement for Construction of 3D Home".

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

VI. REPORTS

A. City Board Minutes

1. January 6, 2026 Planning Commission/Board of Zoning Appeals

Minutes of the City Commission's February 26, 2026 Meeting

B. Monthly Projects and Public Works Report

Engineer Garris presented the report.

C. Annual Year-End Report

City Manager Passauer presented the report.

D. Appropriations

VII. CITY MANAGER'S COMMENTS

City Manager Passauer reminded everyone of the Main Street Fundraiser on Saturday, March 7th. The community-based strategic plan has fifteen different sessions for service clubs and other focus groups as well as open public forums on March 4th and 6th and all newsletters have been mailed out.

VIII. COMMISSIONERS' COMMENTS

Mayor Hayse noted that he got to hike the Verdigris Vista Trail and thought it was a great trail.

IX. PUBLIC CONCERNS

Ryan Robinson had a problem with the City requiring a fee for a pressure gauge test on gas lines and mentioned the opposition to the welcoming america certification.

X. ADJOURNMENT


Motion:

On the motion of Dean Hayse, seconded by Scott Smith, the Commission adjourned the meeting.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

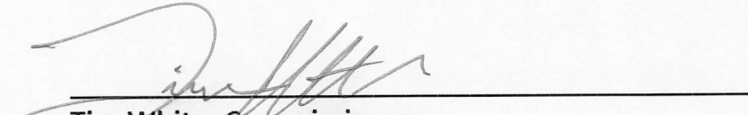
Minutes of the City Commission's February 26, 2026 Meeting



Dean A. Hayse, Mayor

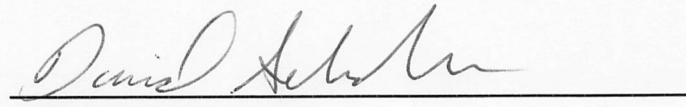


W. Scott Smith, Commissioner



Tim White, Commissioner

Attest:



City Clerk/Treasurer