

Minutes of the City Commission's March 12, 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; Aaron Cook, Fire Chief; Dustin Stafford, Chief of Police; Lacey Lies, Finance Director and April Nutt, Director of Housing Authority.

Visitors Present: Larry McHugh, Breanna Sanford, Lisa Drumeller and Richard Brown.

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. CONSENT AGENDA

Motion:

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

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

A. Consider awarding a Downtown Independence Building Grant for improvements to 124 E. Main Street.

Bob Miller, owner of 124 East Main, has made an application for a Downtown Independence Building Grant. The proposed improvements are new electric,

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new plumbing, removal of the exterior metal, tuck pointing and lead-based paint abatement. Non-historic brick is to be removed from the existing storefront to expose historic brick. The historical brick facade is to be restored and a new storefront glass system is to be installed.

The estimated cost of the improvements is \$150,128 and the grant funding request is \$25,000. The Downtown Independence Building Grant Committee has reviewed the application and has determined that the request meets grant guidelines and recommends the City Commission approve the grant request.

Suggested Motion:

I move to approve the Downtown Independence Building Grant application for 124 East Main, not to exceed \$25,000.

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

Work on the connection to the existing sewer encountered a smaller diameter structure “lamp hole” than was specified on the plans, which would have been a typical manhole. Due to the small size of the lamp hole, it is not possible to connect the new 8-inch sewer line, and it must be replaced with a larger 4-foot standard manhole. As this is a unit price contract, there is already a unit price for this manhole. This change order would increase the number of units for item 16 from 19 to 20.

Suggested Motion:

I move to authorize Change Order Number 2 with Tri-Star Utilities, Inc. to increase the number of units of item 16 by one, resulting in a cost increase of \$6,500.00 to the project and for the execution of any necessary documents.

III. PUBLIC HEARING

- A. Public Hearing to consider the condemnation of 108 S. Wald Avenue as dangerous and unsafe.

The property located at 108 S. Wald Ave. has previously been reported to the City for issues related to the condition of both the primary structure and the exterior yard. City Code Enforcement and the Building Inspector issued violation notices regarding the deteriorated exterior conditions, as well as orders to vacate in January and December 2025. The residence last had active water service on October 7, 2025.

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City staff has had no contact with the owner since service of the no-water notices, and no repair timeline or plan to restore water service has been provided. Therefore, City staff recommends that the property be declared dangerous and unsafe and condemned.

Motion:

On the motion of Tim White, seconded by Scott Smith, the Commission adopted a resolution condemning 108 S. Wald Avenue as dangerous and unsafe and giving the owner 30-days to commence repair or removal of the structure.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

- B. Public Hearing to consider the condemnation of 214 S. 12th Street as dangerous and unsafe.

The City has received reports from Fire-EMS personnel indicating that the structure at this address was involved in a structure fire on December 20, 2025. The structure is currently in a deteriorated state of disrepair, with extensive damage resulting from the fire. Observed conditions include overgrown vegetation, the accumulation of trash and debris, reports of squatters, and the absence of active City utility services. Records indicate that utility services were last active in January 2020, and there is currently no gas or electrical service to the property.

Based on these conditions, and the City's lack of contact from the property owner, City staff recommends that the structure be declared dangerous and unsafe and that the owner be given 30 days to commence repair or removal.

Motion:

On the motion of Scott Smith, seconded by Tim White, the Commission adopted a resolution condemning 214 S. 12th Street as dangerous and unsafe and giving the owner 30-days to commence repair or removal of the structure.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

- C. Public Hearing to consider the condemnation of 316 S. Earl Street as dangerous and unsafe.

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The property located at 316 S. Earl St. has previously been reported to the City for issues with the condition of both the primary structure and the exterior yard. City Code Enforcement and the Building Inspector have issued violation notices concerning the deteriorated exterior conditions and orders to vacate on December 6, 2025.. The residence last had water service on 1/23/2024.

The owner of the structure has been working with Code Enforcement and the Building Inspector to fix up the property along with (3) other rental properties. City staff recommends adjourning the Public Hearing.

Motion:

On the motion of Tim White, seconded by Scott Smith, the Commission adjourned the Public Hearing for the condemnation of 316 S. Earl Street until June 25, 2026, at 5:30 p.m.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

- D. Public Hearing to consider the condemnation of 509 N. 13th Street as dangerous and unsafe.

On December 29, 2025, a structure fire at 515 N. 13th Street extended to the adjacent structure at 509 N. 13th Street, causing extensive damage and partial collapse of the structure at 509 N. 13th Street. City staff has been unable to contact the owner, and all mailed notifications have been returned.

Based on these conditions and the lack of owner response, City staff recommends that the property be declared dangerous and unsafe and condemned.

Motion:

On the motion of Scott Smith, seconded by Tim White, the Commission adopted a resolution condemning 509 N. 13th Street as dangerous and unsafe and giving the owner 30-days to commence repair or removal of the structure.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

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- E. Public Hearing to consider the condemnation of 515 N. 13th Street as dangerous and unsafe.

The property located at 515 N. 13th Street was involved in a structure fire on December 29, 2025, which resulted in the destruction of the structures. The owner has been cooperative with City staff and provided insurance information; however, no further response has been received. The owner indicated she was working with a demolition contractor to have the property cleared, but City staff has not received any updates since January 2026.

Based on these circumstances, City staff recommends that the property be declared dangerous and unsafe and that the owner be given 30 days to commence repair or removal of the structure.

Motion:

On the motion of Tim White, seconded by Scott Smith, the Commission adopted a resolution condemning 515 N. 13th Street as dangerous and unsafe and giving the owner 30-days to commence repair or removal of the structure.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

- F. Public Hearing to consider the condemnation of 521 W. Laurel Street as dangerous and unsafe.

The property located at 521 W. Laurel Street has previously been reported to the City for issues related to the condition of both the primary structure and the detached garage. City Code Enforcement and the Building Inspector have issued violation notices regarding the deteriorated exterior conditions. A response from the owner is included with this RCA.

The structure was last occupied in 2022, and utilities remained disconnected until June 2025. Although utilities have since been restored, no water usage has been recorded. The property currently has broken windows, missing and hanging siding, trash and debris in the yard, and a hole in the roof of the garage.

Prior to the December 11, 2025 meeting at which this matter was scheduled, the owner contacted City staff. The owner stated he would contract with a company to remove the tree and hire a demolition contractor to remove the

garage. He also indicated his intention to begin repairs to the house, address the exterior deficiencies, and make the structure habitable.

Since that contact in December, City staff has had no further communication with the owner and has observed no progress on the structures. Therefore, City staff recommends condemnation of the property and that the owner be given 30 days to commence repair or removal.

Motion:

On the motion of Scott Smith, seconded by Dean Hayse, the Commission adopted a resolution condemning 521 W. Laurel Street as dangerous and unsafe and giving the owner 30-days to commence repair or removal of the structures.

Aye: Dean Hayse, Scott Smith

Nay: None

Abstain: Tim White

- G. Public Hearing to consider the condemnation of 800 W. Chestnut Street as dangerous and unsafe.

The property located at 800 W. Chestnut Street has previously been reported to the City for issues related to the condition of the primary structure, accumulated debris, and ongoing code enforcement concerns. Upon inspection, City staff observed that the structure is in significant disrepair, presents multiple safety hazards, and has not been connected to City utilities since 2010. During the initial site visit, the basement contained approximately four feet of standing water. The foundation and basement walls exhibit substantial deterioration.

On January 22, 2026, the property owner informed the City Commission that they were working with a company to attempt to sell the building and requested additional time to determine whether a new owner could be secured who would be willing to renovate the structure. The City Commission agreed to adjourn the hearing until the March 12, 2026, meeting.

City staff recommends condemnation as dangerous and unsafe.

Motion:

On the motion of Tim White, seconded by Scott Smith, the Commission adopted a resolution condemning 800 W. Chestnut Street as dangerous and unsafe and giving the owner 45-days to commence repair or removal of the

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structure.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

- H. Public Hearing to consider the condemnation of 821 E. Maple Street as dangerous and unsafe.

The property located at 821 E. Maple Street has previously been reported to the City for issues related to the condition of both the primary structure and the detached garage. City Code Enforcement and the Building Inspector have issued violation notices regarding the deteriorated exterior conditions. The residence last had active water service in January 2025.

Based on the observed conditions and the owner's lack of response, City staff recommends condemnation of the property located at 821 E. Maple Street.

Motion:

On the motion of Scott Smith, seconded by Tim White, the Commission adopted a resolution condemning 821 E. Maple Street as dangerous and unsafe and giving the owner 30-days to commence repair or removal of the structures.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

- I. Public Hearing to consider the condemnation of 1100 W. Laurel Street as dangerous and unsafe.

The property located at 1100 W. Laurel Street has previously been reported to the City for issues related to the condition of both the primary structure and the detached garage. City Code Enforcement and the Building Inspector have issued violation notices regarding the deteriorated exterior conditions. The residence last had active water service in 2020.

The City has received communication from Matthew Dunn, who indicated his desire to preserve the structure; however, no additional response or proposed timeline has been provided since the initial notices were issued. Therefore, City staff recommends that 1100 W. Laurel Street be condemned as dangerous and unsafe and that the owner be given 30 days to commence repair or removal of the structure.

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Motion:

On the motion of Tim White, seconded by Scott Smith, the Commission adopted a resolution condemning 1100 W. Laurel Street as dangerous and unsafe and giving the owner 30-days to commence repair or removal of the structure.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

IV. ITEMS FOR COMMISSION ACTION

- A. Consider a resolution to rescind the condemnation action for 608 E. Cedar Street.

On February 6, 2026, the structures located at 608 E. Cedar were damaged by a fire that caused extensive destruction to a garage, carport, camper, passenger vehicle, and adjoining structures. As a result, the structures and vehicles are considered a total loss. The property owners do not have insurance coverage on any of the parcels impacted by the fire.

Since notification of the condemnation process, the owner has undertaken the responsibility to clean up the property and contacted City Staff that the property had been cleaned up. The City Staff inspected and is recommending that the City Commission rescind the condemnation process for 608 E. Cedar Street.

Motion:

On the motion of Scott Smith, seconded by Tim White, the Commission adopted a resolution rescinding previous resolutions, which set a hearing date to consider the condemnation of 608 E. Cedar Street as dangerous and unsafe.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

- B. Consider a request from the Wildcat Extension District to share in the cost of sidewalk replacement at 712 W. Myrtle Street.

The City has received a request from the Wildcat Extension District #14 to share in the cost of replacing a section of public sidewalk and curb adjoining the new Extension Office facility located at 712 W. Myrtle Street in Independence.

The Wildcat Extension District is a local unit of K-State Research and Extension serving Crawford, Labette, Montgomery, and Wilson counties. The District provides research-based education and programming in agriculture, 4-H youth development, family and consumer sciences, and community development.

The requested improvements involve sidewalk and curb replacement along the west side of the new Extension Office building on the east side of North 14th Street, beginning at the entrance of the former helicopter pad and extending south to the newer concrete associated with the ADA street access.

According to the District, this section of sidewalk was already damaged and eroding when the property was purchased from St. John Building Corporation. While the City currently owns the parcel across the street where Fire/EMS is located and previously owned the parcel adjacent to Fire/EMS where the former hospital was located, the City did not own the parcel on which the Wildcat Extension District's new facility is located. As construction of the new office nears completion, the District believes it is an appropriate time to replace the deteriorated curb and sidewalk.

Under normal City policy, maintenance and repair of sidewalks is the responsibility of the adjoining property owner. However, staff believes participation in this project is appropriate given the positive impact of locating this regional facility in Independence. This request is similar to the City partnering with USD #446 on the cost to replace a water line located in the right-of-way as part of the Early Learning Center project.

A contractor quote provided for the work estimates the total project cost at \$9,350, which includes removal and replacement of approximately 850 square feet of sidewalk at \$11.00 per square foot.

Motion:

On the motion of Tim White, seconded by Dean Hayse, the Commission approved funding 50% of the cost of sidewalk replacement adjoining the Wildcat Extension District facility at 712 W. Myrtle Street, in an amount not to exceed \$4,675, from economic development funds.

Aye: Dean Hayse, Tim White

Nay: Scott Smith

- C. Request permission to lease purchase a Spencer Manufacturing Pumper, Stock Build 1697, equipped with a 1,000-gallon water tank and a 2,000 GPM pump.

If approved, the proposed purchase of a new fire engine would replace the department's current Engine 3, a 1985 model that is significantly beyond its recommended service life. Engine 3 is equipped with a 1,000-gallon water tank and a 2,000 gallon-per-minute pump. Due to its age and condition, it is currently used only as a reserve apparatus and is not routinely deployed for daily emergency responses. At approximately 15 years past its anticipated retirement age, Engine 3 no longer meets the operational reliability standards expected of a frontline suppression unit.

Upon acquisition of a new engine, Engine 3 would be removed from service entirely, with a recommendation to the City that the apparatus be sold through public auction. A comprehensive mechanical evaluation would then be conducted on Engine 1 (1999 model) and Engine 2 (2001 model) to determine which apparatus is in the best overall condition to continue serving in a frontline capacity. The unit determined to be less reliable would be reassigned to reserve status.

The new engine would serve as the department's primary response unit for confirmed structure fires and fire alarms. It would function as the primary pumping apparatus at fire scenes, improving operational effectiveness, reliability, and firefighter safety. Currently, Engine 1 and Engine 2 respond to all structure fires and fire alarms, with the exception of large commercial occupancies such as retail stores, apartment complexes, downtown buildings, hotels, churches, and schools, where Tower 1 is typically deployed due to its aerial capabilities for large-scale fire operations.

The department also operates a 2019 tower truck, which is the most valuable and specialized apparatus in the fleet. Due to the significant cost associated with replacing or repairing ladder apparatus, this vehicle is deployed only when its capabilities are required. In the event of a catastrophic mechanical failure or accident, securing a temporary replacement ladder truck would be extremely difficult and costly.

Motion:

On the motion of Scott Smith, seconded by Tim White, the Commission approved a lease purchase of a 2026 Spencer Pumper Stock Build 1697 truck for \$899,879.60.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

V. REPORTS

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A. Annual Landbank Report

Director Nutt presented the report and gave an update on the Jefferson subdivision.

B. City Board Minutes

C. Appropriations

VI. CITY MANAGER'S COMMENTS

City Manager Passauer thought that the City had very successful community development sessions and the survey will remain open until March 31st. If there are people who wish to sign up for emergency alerts they can text "Join City Alerts" to 31002. City Manager Passauer reviewed the dates for the upcoming commission meetings and informed the public that City Hall will be closed on April 3rd for Good Friday with no change for sanitation services.

VII. COMMISSIONERS' COMMENTS

VIII. PUBLIC CONCERNS

Richard Brown discussed problems he had with the water and sewer lines at his home.

IX. ADJOURNMENT

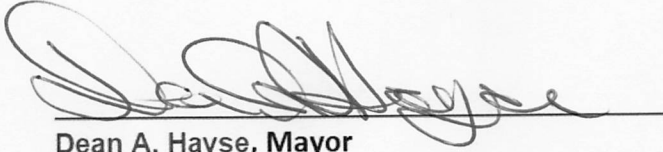
Motion:

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

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

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Dean A. Hayse, Mayor

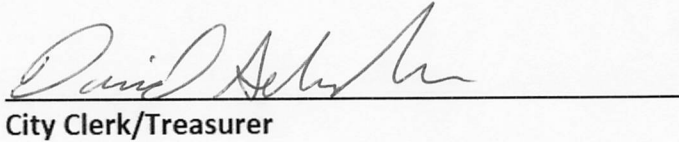


W. Scott Smith, Commissioner



Tim White, Commissioner

Attest:



City Clerk/Treasurer