

Minutes of the City Commission's March 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; April Nutt, Director of Housing Authority; Scott Patton, Park and Zoo Director; Dustin Stafford, Chief of Police; Bridget Hammer, Dispatch Supervisor and Lacey Lies, Finance Director.

Visitors Present: Larry McHugh, Breanna Sanford and Sherri Garris.

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

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

II. APPOINTMENTS

A. Consider reappointing Fred Meier to a 1st term on the Housing Authority expiring on April 11, 2030.

The terms on the Housing Authority Board for Rita Ortolani and Fred Meier will expire on April 11, 2026. Rita Ortolani does not wish to be reappointed; however, Fred Meier does. Fred previously served an unexpired term, so this reappointment would represent his first full term. Those interested in applying to serve on this board must reside in the City limits.

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Motion:

On the motion of Dean Hayse, seconded by Scott Smith, the Commission reappointed Fred Meier to a 1st term on the Housing Authority expiring on April 11, 2030.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

III. CONSENT AGENDA

Motion:

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

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

- A. Consider approving the minutes of the February 26th, March 12th, and March 18th regular and special meetings.

Suggested Motion:

I move to approve the minutes of the February 26th, March 12th, and March 18th 2026 regular and special meetings.

- B. Consider waiving the ordinance prohibiting food trucks at Riverside Park on July 24, 2026, during the Montgomery County 4-H Fair.

Montgomery County 4-H holds their annual fair and livestock auction in Riverside Park during the last week of July. During the livestock auction, they bring in food trucks to serve attendees. The event is usually well attended. The livestock auction will take place on July 24, 2026, from 5:00 PM - 9:00 PM.

Suggested Motion:

I move to waive the ordinance prohibiting food trucks at Riverside Park on July 24, 2026, for the Montgomery County 4-H Fair livestock auction.

- C. Consider a change order correcting connecting flange incompatibility issues related to the pump station for the water pipeline to Bartlett.

The pump station was designed prior to the design of the connection to the main pipeline design being complete. The interface flanges between the pump station and the pipeline suction and discharge did not properly mate. A correction has been designed and the contractor is implementing the correction. The cost for the correction is \$3,554.40.

Suggested Motion:

I move to authorize a change order to the contract with APAC-Kansas, Inc. in the amount of \$3,554.40 and for the execution of any necessary documents for this change.

IV. PUBLIC HEARINGS

- A. Public Hearing to consider the condemnation of 1312 N. 10th Street as dangerous and unsafe.

The property located at 1312 N. 10th Street has been previously reported to the City for issues related to the condition of both the primary structure and the garage. City Code Enforcement and the Building Inspector have issued violation notices concerning the deteriorated exterior conditions. The residence last had water service on 08/15/2022 and is currently vacant.

Motion:

On the motion of Tim White, seconded by Scott Smith, the Commission adopted a resolution condemning 1312 N. 10th as dangerous and unsafe and giving the owner 30-days to commence repair or removal.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

- B. Public Hearing to consider the condemnation of 1924 N. 10th Street as dangerous and unsafe.

On January 5, 2026, a vehicle fire at 1924 N. 10th Street extended to the residence, causing extensive damage to two bedrooms. Upon further investigation by Fire-EMS, the structure was determined to be in poor condition, uninhabitable, and unsafe.

The owner has since sold the home to Karen Neely, who resides out of state

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but will be retiring and returning to Independence to reside. Karen has submitted a repair timeline and has been issued a building permit to rehab/remodel the structure and meet Nspire occupancy requirements.

Motion:

On the motion of Scott Smith, seconded by Tim White, the Commission adjourned the Public Hearing for the condemnation of 1924 N. 10th Street until July 23, 2026, at 5:30 p.m.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

V. ITEMS FOR COMMISSION ACTION

- A. Consider a request from the Tree Board to proclaim April 25, 2026 as Arbor Day.

On February 25th, 2016 The City Commission approved Ordinance # 4214 creating a Tree Board to honor the City's rich history of enjoying and preserving local natural resources and to promote and protect public health, safety, and general welfare by providing for the development of a Community Forestry Plan to address the planting, maintenance, and removal of trees located on public property, or which encroach upon public property, and to enhance the natural beauty of the community.

This year the Tree Board plans on celebrating Arbor Day on Saturday, April 25th, 2026. This is the first step in renewing our recertification for Tree City USA.

Motion:

On the motion of Tim White, seconded by Scott Smith, the Commission proclaimed April 25, 2026, as Arbor Day and authorized renewing our recertification as a Tree City USA.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

- B. Consider proclaiming April 12th through the 18th of 2026 as Public Safety Telecommunicators Week in Independence.

In 1991, National Public Safety Telecommunicators week was formally

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recognized by Congress and is celebrated each year during the second full week of April.

Motion:

On the motion of Scott Smith, seconded by Tim White, the Commission authorized April 12th through the 18th of 2026 as Public Safety Telecommunicators Week in Independence in recognition of the commitment to excellence the members of the Independence Police Department 911 Communications Center demonstrate daily in their service to Independence and the surrounding area.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

- C. Consider setting the date of May 14, 2026 at 5:30 PM for a public hearing for a Reinvestment Housing investment District for 201 North Penn Avenue.

US Federal Properties Co., LLC, in partnership with 201 Investors LLC, is proposing the redevelopment of 201 North Penn into a mixed-use project featuring residential housing and commercial space. This project represents a significant private investment in downtown Independence and will preserve a key anchor building. The project has already advanced substantially, with the property under contract, environmental studies completed, and financing secured.

To support project feasibility, the developers are requesting the establishment of a Reinvestment Housing Incentive District (RHID). Similar to the Neighborhood Revitalization Program, an RHID allows the base property tax value to remain unchanged, while a portion of the new taxes generated from improvements made on the second floor and above for housing, may be rebated to offset eligible housing construction costs for up to 25 years. Importantly, the City of Independence will continue to receive all existing tax revenue, with only the incremental increase subject to rebate. RHID's are a critical tool in enabling housing development in rural communities where construction costs often exceed final property values. Staff recommends setting a public hearing to consider the establishment of an RHID for the property located at 201 North Penn.

Motion:

On the motion of Tim White, seconded by Scott Smith, the Commission adopted a resolution to set the date of May 14, 2026 at 5:30 PM for a public

hearing for a Reinvestment Housing Incentive District for 201 North Penn Avenue.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

D. Consider awarding a bid for the roofing project at Riverside Park.

The Park Office, also known as the “Garden House,” was constructed in the 1930s as part of the Works Progress Administration (WPA) program. Built of native stone, the facility originally served as a shower house for the segregated tennis courts that once occupied the area now used for the miniature golf course. Following desegregation, the building was repurposed as a tool shed by the Independence Garden Club and currently serves as office space for the Park and Zoo Departments. The building retains its original roof, consisting of asbestos shingles in a diamond pattern. This roof has been leaking for over a year and has resulted in deteriorated fascia and soffit. The lack of gutters and downspouts has contributed to this deterioration. The proposed scope of work includes replacement of the roof, as well as installation of new gutters, fascia, and soffit.

Both the Stich Shelter House and the Park Office are listed on the local Register of Historic Places by the Independence Historic Preservation and Resource Committee (IHPRC). During the early planning phase of this project, the Park Director consulted with IHPRC regarding appropriate replacement materials. The committee recommended that replacement materials closely match the original materials to preserve the historic character of each structure. In alignment with this recommendation, the Request for Proposals (RFP) specified the following materials:

- Stich Shelter House: Flat slab clay tiles in terracotta red
Alternate: Stone-coated metal tiles in a similar color and profile
- Park Office: PABCO diamond-cut shingles in Pewter Gray
Alternate: CertainTeed Grand Manor shingles in Stonegate Gray

The City received four bids for this project. Proposals were evaluated based on the following criteria: overall proposal quality and responsiveness to the RFP; qualifications and experience of the respondent; demonstrated experience with similar projects; personnel and resources available; ability to complete the work within the required timeframe; and project cost.

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Two of the bidders did not meet the material specifications outlined in the RFP and were therefore not considered further. The remaining two proposals were determined to be equal in qualifications, experience, and overall responsiveness. As a result, project cost served as the determining factor.

H&H Roofing, LLC submitted the lowest responsive and responsible bid in the amount of \$166,758.28, which includes the Shelter House base bid of \$130,391.21, Shelter House decking of \$8,212.47, 6-inch gutters of \$7,494.50, Park Office base bid of \$18,481.21, Park Office gutters of \$1,070.64, and Park Office decking of \$1,108.25. While this amount does not include fascia and soffit replacement, H&H submitted unit prices of \$14 per linear foot for fascia and \$25 per linear foot for soffit, including paint, for use if replacement is needed. Even with fascia and soffit excluded from the base amount, the H&H bid is approximately \$49,000 less than the competing bid using the specified materials, which did not include gutters but did include fascia and soffit. Because the exact quantities requiring replacement are not yet known, any fascia and soffit work would be added by change order based on actual quantities.

Funding for this project was approved as part of the 2026 Budget. Staff recommends awarding the contract for the Stich Shelter House and Park Office roof replacement project to H&H Roofing, LLC in the amount of \$166,758.28, with any necessary fascia and soffit replacement to be addressed separately by change order.

Motion:

On the motion of Scott Smith, seconded by Tim White, the Commission awarded the bid for the roof replacement of the Stich Shelter House and Park Office to H&H Roofing, LLC for \$166, 758.28.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

- E. Consider purchasing a new truck for the Water/Sewer Department.

The existing truck 402 is a primary tool used in the repair of our water and sewer systems. It is 2003 F-250, and is of an age and mileage where reliability has begun to impact availability. A replacement has been found, and is priced below MSRP and below Sourcewell pricing. Details on the vehicle are attached.

Two versions were reviewed, each being 4WD and with the required utility bed. The smaller double cab version was the lowest price 4WD unit found, at

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\$62,749.18. The larger crew cab version was priced at \$65,333.95, including delivery. Vendors local to Independence were contacted but declined to provide any quotes. Other similar vehicles were found, but none were 4WD, which is a requirement in inclement weather conditions and for terrain encountered during repairs.

It is recommended to purchase the larger cab, at \$65,333.95, to provide ease of entry and exit for crews who depend on this vehicle at all hours of the day and night to get them to repair water and sewer lines.

The existing truck 402 will be sold at auction with Purple Wave, if approved.

\$1,540.00 is included for equipment delivery in the above price.

Motion:

On the motion of Tim White, seconded by Scott Smith, the Commission approved the purchase of a new pickup from Hendrick Automotive Group for the price of \$65,333.95 and to allow the auction of the existing Truck 402 on Purple Wave, and for the execution of any necessary documentation after city attorney approval.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

- F. Consider awarding a contract for construction observation for the airport apron pavement maintenance project to H.W. Lochner, Inc.

The City was awarded a Kansas Department of Transportation (KDOT) Kansas Airport Improvement Program (KAIP) grant to maintain pavement integrity. This project is to maintain the surface of the apron directly adjacent to the Textron manufacturing facility. Our consultant, H.W. Lochner, Inc. (Lochner) prepared bid documents for this work and bids were received on Tuesday, March 10th.

The project will be constructed this summer. Lochner has provided a contract for the construction administration. This contract is in the amount of \$105,000.00 as a not-to-exceed basis. As KDOT is funding 90% of this project, the City's total cost for this work will be \$10,500.00.

Motion:

On the motion of Scott Smith, seconded by Tim White, the Commission authorized the award of a contract for construction administration to H.W.

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Lochner, Inc., not-to-exceed amount of \$105,000.00 and for the execution of any necessary documents.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

- G. Consider awarding a contract for airport apron pavement maintenance to Maxwell Asphalt, Inc.

The City was awarded a Kansas Department of Transportation (KDOT) Kansas Airport Improvement Program (KAIP) grant to maintain pavement integrity. This project is to maintain the surface of the apron directly adjacent to the Textron manufacturing facility. Our consultant, H.W. Lochner prepared bid documents for this work and bids were received on Tuesday, March 10th.

The City received eight bids and they are summarized in the attached bid tab.

Our engineer, Lochner, suggests a preference in bid evaluation be given to the Base Bid + Add Alternate 2 scenario due to the cost and lifespan of the selected material.

The low bid provided by Maxwell Asphalt, Inc. was below the Engineer's Estimate. Lochner has satisfactory experience working with Maxwell Asphalt, Inc. on other projects. Lochner's evaluation of the bids for this project suggests that the bid submitted by Maxwell Asphalt, Inc. is fair and reasonable and recommends the City enter into a contract with the apparent low bidder, Maxwell Asphalt, Inc., in the amount of the Base Bid + Add Alternate 2 award scenario totaling \$440,220.00. Maxwell Asphalt, Inc.'s bid is attached.

Motion:

On the motion of Tim White, seconded by Scott Smith, the Commission authorized award of pavement maintenance for the IDP pavement maintenance contract to Maxwell Asphalt, Inc. in the unit price amount of \$440,220.00 and for the execution of any necessary documents.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

- H. Consider approving two ordinances related to leasing of hangars at the Airport.

The City rents hangars at Independence Municipal Airport. During the last review of contracts, it was noted that there was no ordinance associated with renting these hangars nor with establishing their rates. Attached are two ordinances: one that establishes the authority to rent the hangars and one that adds the hangar rental rates to Appendix D.

Motion:

On the motion of Scott Smith, seconded by Tim White, the Commission approved Ordinance No. 4502 authorizing rental of Airport Hangars and Ordinance No. 4503 amending Appendix D to add the hangar rental rates.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

- I. Consider extending the contract with Resource Recovery, Inc.

The contract extension with Resource Recovery will expire on March 31, 2026. They have agreed to a contract extension at the same rate, subject to a CPI adjustment in July. This will extend that contract for six months, until September 30, 2026. As Green Environmental Recycling and Disposal, LLC's transfer station is not operational, this provides a continuation of service.

Motion:

On the motion of Tim White, seconded by Scott Smith, the Commission approved the contract extension with Resource Recovery, Inc to September 30, 2026, and for the execution of any necessary documents.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

VI. REPORTS

- A. Monthly Public Works and Project Report

Engineer Garris presented the report.

VII. CITY MANAGER'S COMMENTS

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Finance Director Lies reported that the Independence High School baseball team played the first varsity game on Crossland Field and the softball team will play their first game on Clark James Field by Edward Jones on Friday.

City Attorney Chubb gave an update on House Bill 2116, which attaches a rider on all contracts entered into by all state agencies, municipalities and school districts that helps small cities in their negotiations with companies.

City Manager Passauer provided an update on Senate Bill 197 regarding home based businesses.

Assistant City Manager Cowan provided an update on building permit activity for 2026.

City Manager Passauer reported that the City locked in a rate of 3.98% for the purchase of the fire truck. The City feedback survey is still open until March 31st, a reminder for people to sign up for emergency alerts. The Easter egg hunt will be held on April 4th at 3pm, the park opening will be held on April 11th, a reminder of upcoming meetings, and City Hall will be closed on April 3rd for Good Friday.

VIII. COMMISSIONERS' COMMENTS

Mayor Hayse would like to see the Mayor/Commissioners page updated on the City website

Commissioner White had relatives in town recently and they were impressed with the new ballparks and trails on the Central Park Sports Complex.

Commissioner Smith reported that his new city e-mail account is working.

IX. PUBLIC CONCERNS

None

X. ADJOURNMENT

Motion:

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

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None



Dean A. Hayse, Mayor

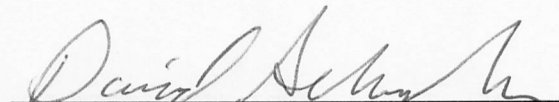


W. Scott Smith, Commissioner



Tim White, Commissioner

Attest:



City Clerk/Treasurer