

Minutes of the City Commission's April 9, 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 and Jordan Bagley, IT Technician Coordinator.

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 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 approving the minutes of the March 26, 2026 meeting.

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Suggested Motion:

I move to approve the minutes of the March 26, 2026 meeting.

III. PUBLIC HEARING

- A. Public Hearing to consider the condemnation of 1014 W. Beech Street as dangerous and unsafe.

On January 28, 2026, the residential structure located at 1014 W. Beech Street was damaged by a fire that caused extensive damage to both the interior and exterior of the home. As a result, the structure is currently uninhabitable and declared a total loss. The property owner maintains insurance coverage through USAA, and the City has notified the insurer of the loss and received insurance proceeds to remove the structure.

City staff recommends condemnation of the structure as dangerous and unsafe, and giving the owner 30 days to commence repair or removal of the structure.

Motion:

On the motion of Scott Smith, seconded by Tim White, the Commission adopted a resolution condemning 1014 W. Beech as dangerous and unsafe and giving the owner 30-days to commence repair or removal.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

IV. ITEMS FOR COMMISSION ACTION

- A. Consider proclaiming April 2026 as Child Abuse Prevention Month.

Jordan Lemos, Healthy Families Kansas Supervisor with the Kansas Children's Service League office located in Independence, has requested that the City Commission issue a proclamation declaring April 2026 as Child Abuse Prevention Month. The Independence office serves Labette, Montgomery, and Chautauqua counties. Healthy Families provides free, intensive, home-based services and parenting support to qualifying pregnant mothers and parents of children ages 0 to 3 with certain risk factors. Kansas Children's Service League also serves as the state chapter for Prevent Child Abuse

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America and works to build awareness, educate the public, organize activities, and lead advocacy efforts aimed at preventing child abuse and neglect.

Child Abuse Prevention Month is observed each April to raise awareness of the importance of strengthening families and communities to prevent child abuse and neglect. Programs such as Healthy Families provide early intervention and support services designed to improve outcomes for children and families and reduce risk factors associated with abuse and neglect. The requested proclamation is consistent with past recognition of this effort and provides an opportunity for the City to acknowledge the importance of child abuse prevention and the value of services being provided in Independence and the surrounding region.

Motion:

On the motion of Tim White, seconded by Scott Smith, the Commission proclaimed April 2026 as Child Abuse Prevention Month.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

- B. Consider proclaiming April 2026 as Fair Housing Month.**

The U.S. Department of Housing and Urban Development has designated April as Fair Housing Month to commemorate the passage of the Fair Housing Act of 1968 and to raise awareness about the rights and responsibilities associated with fair housing.

Motion:

On the motion of Scott Smith, seconded by Tim White, the Commission proclaimed April 2026 as Fair Housing Month.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

- C. Consider adopting an ordinance amending the minimum housing standards for the residential rental inspections and adopting the HUD (NSPIRE) standards.**

The City Code Enforcement Office enforces the Minimum Standards for Rental Properties and administers the program using HUD Housing Quality Standards

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(HQS). HUD has updated these standards to the National Standards for the Physical Inspection of Real Estate (NSPIRE), which are now in effect.

This amendment adopts and updates the applicable standards and authorizes the Code Enforcement Officer to interpret and apply NSPIRE in accordance with HUD guidance and established best practices. In cases where conflicts arise between NSPIRE standards and locally adopted building, housing, or safety codes, the more stringent requirement shall govern.

Motion:

On the motion of Scott Smith, seconded by Tim White, the Commission adopted Ordinance 4504, amending City Code Section 18-415 having to do with minimum standards for rental housing.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

D. Consider awarding the bid for Phase I of the Downtown Tree Replacement.

A new tree plan for the downtown business districts was approved by the Commission at the February 26, 2026 meeting. The change to the tree plan was motivated by complaints from some community members about heavy roosting by starlings, leading to sanitary issues with bird droppings on the sidewalks and parked cars. The new tree plan uses species with upright, columnar growth habits that will not have overhanging branches above the sidewalks or parking spaces.

Phase I of the implementation plan consists of replacing all trees in the following blocks:

- 100 block of North Penn Avenue
- 100 block of South Penn Avenue
- 100 block of East Main Street
- 100 block of West Main Street

This will include replacing 38 trees. The existing trees will be removed by City staff.

The contractor will be responsible for the following scope of work:

1. Purchase of new 15-gallon trees
2. Cleaning out the tree wells
3. Installing or cleaning the drainage holes
4. Back filling the tree wells with a 50/50 mix of compost and garden soil
5. Planting new trees

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6. Installing mulch for water retention.

Motion:

On the motion of Tim White, seconded by Scott Smith, the Commission awarded the bid for Phase I of the downtown tree replacement to Green Meadows, LLC. for \$21,480.00.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

- E. Consider awarding the bid for installation of a grinder pump and connection of the Riverside Park office restroom to the City sewer system.

The Riverside Park Office bathroom has been connected to a small septic system since its construction. It is suspected that the aging septic system is experiencing infiltration, causing the park restroom to back up following periods of rain, when the ground becomes saturated. City staff have been unable to locate the septic tank to confirm the issue.

To address the issue and maintain compliance with the City ordinance, an RFP was issued for work to install a grinder pump at the park office and connect the restroom to the City sewer system.

Motion:

On the motion of Scott Smith, seconded by Tim White, the Commission awarded the bid for the Riverside Park Office Grinder Pump and Sewer Connection to Cardinal Sitework, LLC., for \$43,350.00.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

V. REPORTS

A. City Board Minutes

1. March 25th 2026 IRC Board Minutes.

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B. Openings on City Boards

Applications are being received through April 15, 2026 for openings on the Housing Authority Board and the Library Board of Trustees.

C. Admin and Housing Goals

City Manager Passauer and Director of Housing Authority Nutt presented their reports. Assistant City Manager Cowan reported on the status of demolition of condemned housing.

D. Appropriations

VI. CITY MANAGER'S COMMENTS

City Manager Passauer gave an update on the property tax bill that is currently in front of the Kansas legislature for a veto override.

Assistant City Manager Cowan presented a report on the number of active building permits in place for this year.

City Manager Passauer reported that the City received 525 responses to their survey, reminded citizens to sign up for emergency alerts. The park opening will be on April 11th, provided a list of upcoming Commission meetings and the next holiday that City Hall will be closed is Memorial Day on May 25th.

VII. COMMISSIONERS' COMMENTS

Commissioner White would like to see home inspectors be required to acquire a City license to practice inside the City limits.

VIII. PUBLIC CONCERNS

None.

IX. ADJOURNMENT

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Motion:

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