

Minutes of the City Commission's April 23, 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; Dustin Stafford, Chief of Police; Christian Ortiz, Police Officer; Teely Signer, Police Officer 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 Dean Hayse, seconded by Scott Smith, the Commission adopted the agenda with the modification of moving Item III. B. ahead of item III. A.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

II. APPOINTMENTS

A. Consider appointing a new board member to a 1st term on the Housing Authority Board expiring on April 11, 2030.

The term on the Housing Authority Board for Rita Ortolani expired on April 11, 2026. Rita Ortolani does not wish to be reappointed. We wish to thank Rita for her years of service. Members of this board must reside within the City limits. We received two applications from City residents by the April 15, 2026 deadline.

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Motion:

On the motion of Dean Hayse, seconded by Tim White, the Commission appointed Daniel McDill to a 1st term on the Housing Authority Board expiring on April 11, 2030.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

III. PRESENTATIONS

B. Introduction and swearing-in of Independence Police Department's new officers.

Christian Ortiz and Teely Signer were selected to serve the citizens of Independence as police officers.

Christian Oritz started with us in the fall of 2025. He graduated from the Kansas Law Enforcement Training Center's Basic Training Course on March 20th, 2026.

Christian was born and raised in Southern California and moved to Southeast Kansas in mid-June 2020. He fell in love with the small town feeling and decided it was time to get out of the big city life. He has been married for 8 years to his wife Janette, and they have 4 children, ranging from 8 years old to two months old. They love independence and think it's the perfect place to raise a family. Christian always wanted to be in Law Enforcement. Living in Independence solidified his decision to join Law Enforcement to continue to keep the City of Independence safe for his family and for the kind and loving citizens of Independence who make this town feel like home.

Teely Signer started with us in March. In 2025, she worked for the Elk County Sheriff's Department and graduated from the Kansas Law Enforcement Training Center's Basic Training Course. She grew up in Southeast Kansas and has been in Kansas most of her life. She is a mother and a wife and has 4 dogs and 4 cats. She has been in law enforcement for at least a year and fully believes it is her passion for her working career. She enjoyed serving and protecting the community of Elk county and hopes to continue this passion with the City of Independence.

City Clerk Schwenker administered the oath.

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- A. Discuss public feedback from the Community-Based Strategic Plan focus groups and surveys.

Mackey Smith is the consultant with Vickrey Leadership Solutions that is preparing the City's Community-Based Strategic Plan. Mackey previously provided a memo that outlines the number of respondents, some initial high level takeaways from the survey, and preferred next steps and timeline. At the Commission meeting, Mackey Smith will virtually review the feedback from the focus groups and survey analysis regarding the Community-Based Strategic Plan.

IV. 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 authorizing pre-application for a KDHE revolving loan for completion of the Water Treatment Plant Master Plan project.

On August 18, 2021, the Commission approved the Water Treatment Plant Master Plan to guide the operational philosophy and identify the capital spending required to maintain City water quality and capacity. PEC was engaged as the engineering firm for this Plan.

In order to fund the 2027 work, a new pre-application is needed to request a new State Revolving Fund loan. This application is attached and will be filed upon Commission approval. It is anticipated that, if approved, the actual loan application will be brought before the Commission for approval in the third or fourth quarter of 2026. The total in the application adds engineering and inspection costs to the \$3,029,000 total for this phase of work.

Suggested Motion:

I move to approve a pre-application for a State Revolving Fund loan in the amount of \$4,278,000.

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- B. Consider authorizing application for KDOT City Connecting Link Improvement Program (CCLIP) grant for FY 2028 Surface Preservation – Main Street, 2nd Street to City Limits.

Kansas Department of Transportation (KDOT) City Connecting Link Improvement Program (CCLIP) applications are due May 1, 2026 for FY 2028 (July 1, 2027 – June 30, 2028) projects. If approved, the attached applications will be submitted.

The following project is suggested:

CCLIP Application, Surface Preservation – Main Street, 2nd to City Limits – mill and overlay pavement. Previously, the City had requested sidewalk to be approved as well, but this has not been approved by KDOT. The City may decide to bid sidewalk work with this project, but it is not included in the application.

Estimated Cost	Estimated City Match – (10%)	Non-Participating Costs	Total City Cost
\$481,515.00	\$39,022.20	\$91,293.00	\$130,315.00

Suggested Motion:

I move to approve an application for KDOT’s CCLIP Program for Main Street, from 2nd to City Limits, and for execution of any necessary documents required by KDOT.

- C. Consider setting the date of May 21, 2026 to receive demolition bids for structures previously condemned as dangerous and unsafe.

The City of Independence has approved the condemnation and removal of 24 houses and 1 medical office building. City staff is requesting that the Commission set May 21, 2026, at 2:00 pm to receive bids for the removal of these condemned structures.

Suggested Motion:

I move to set the date of May 21, 2026, at 2:00 pm to receive bids for the demolition of 25 structures previously condemned as dangerous and unsafe.

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V. PUBLIC HEARING

- A. 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 concerns related to the condition of the primary structure, occupancy without utilities, and environmental issues.

The Building Inspector reports: *"The foundation has been repaired and appears to be in good condition. However, the remainder of the house is largely unchanged, with missing siding and the roof in poor condition."*

At a previous meeting, Lisa Drumeller reported that Indy Heat and Air is installing a heating system. Additional work includes clearing vegetation, removing exterior trash and debris, installing windows, and completing interior finishes and repairs.

The property owner is requesting additional time to complete the project.

Motion:

On the motion of Scott Smith, seconded by Tim White, the Commission adjourned the Public Hearing for the condemnation of 1028 W Chestnut Street until July 23, 2026 at 5:30 p.m.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

VI. ITEMS FOR COMMISSION ACTION

- A. Consider a resolution to rescind the condemnation action of 620 W. Chestnut Street.

The property located at 620 W. Chestnut was previously reported by a tenant for foundation issues, and condemnation proceedings were initiated after the owner declined to make the necessary repairs. The property has since been sold to a new owner, who engaged Joyco Property Management to complete rehabilitation of the home.

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The foundation issues have been addressed, and the structure's interior has successfully passed inspection. It is now being offered for sale by the current owner.

Based on these improvements, City staff recommends that the Commission adopt a resolution rescinding the condemnation in order to clear the title.

Motion:

On the motion of Scott Smith, seconded by Dean Hayse, the Commission adopted a resolution rescinding previous resolutions which set a hearing date to consider the condemnation of 620 W. Chestnut Street as dangerous and unsafe.

Aye: Dean Hayse, Scott Smith

Nay: None

Abstain: Tim White

- B. Consider setting the date of June 25, 2026, for a Public Hearing to consider the condemnation of 1208 W. Myrtle as dangerous and unsafe.

On April 15, 2026, the residential structure located at 1208 W. Myrtle sustained significant fire damage, resulting in extensive damage to both the interior and exterior of the home. As a result, the structure is currently uninhabitable.

City staff were contacted the following day by Lisa Druemeller regarding the property. The owner, Hannah's House, carries insurance through the Kansas Fair Plan. An adjuster has inspected the property and determined it to be a total loss.

City staff explained the condemnation process, and Ms. Druemeller has agreed to sign a release allowing the structure to be included in the City's current demolition bid for removal. Staff has also sent correspondence requesting the City's share of the insurance proceeds to cover demolition costs.

City staff recommends setting June 25, 2026, at 3:30 p.m. as the date for a public hearing to consider the condemnation of the structure at 1208 W. Myrtle as dangerous and unsafe.

Motion:

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

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adopted a resolution setting the date of June 25, 2026, at 3:30 pm for a Public Hearing to consider the condemnation of 1208 W. Myrtle Street as dangerous and unsafe.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

- C. Consider approving a 20-minute parking stall at 305 E. Main Street.

City staff was contacted by the owner of Cornerstone Glass Company, located at 305 E. Main Street, regarding ongoing parking concerns affecting his business. The owner reports limited customer access due to employee parking from the adjacent daycare to the east.

To address these challenges, the owner is requesting the installation of a time-limited parking stall to provide customers with convenient access for dropping off and picking up glass items associated with his business operations.

Motion:

On the motion of Scott Smith, seconded by Tim White, the Commission approved (1) 20-minute parking stall on the south side of Main Street in the first stall in the 300 block of East Main Street.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

- D. Consider a request regarding ADA complaint related to accessibility access.

The City of Independence received a complaint in January 2026 from a disabled resident who utilizes a motorized scooter. The resident reported that the accessible route from 401 S. Penn to downtown was not compliant, resulting in several accidents while using his scooter. City staff reviewed the concern and initiated corrective actions, including the installation of an ADA ramp at the northwest corner of Pennsylvania and Walnut.

Staff also identified four locations between Walnut and Main Street that were in violation of City Code Sec. 94-94 related to raised sidewalks. Notification letters were sent to the respective property owners on January 14, 2026, providing 60 days to complete the necessary repairs. To date, two property

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owners have responded—one has completed repairs, and the other is exploring assistance options due to approximately 54 feet of sidewalk damage caused by tree roots originating in the public right-of-way.

Staff has evaluated existing programs and noted that the current sidewalk program remains unfunded. Additionally, recent strategic planning discussions highlighted widespread community concerns regarding aging sidewalks and damage caused by tree roots. Staff is developing a new program to address these localized issues, as well as broader sidewalk repair needs, and will present it to the Commission during the upcoming budget process.

To address the immediate complaint, staff recommends proceeding in accordance with City Code by initiating condemnation of the non-compliant sidewalks that remain unrepaired and completing the necessary work. The estimated cost for the remaining three repairs is \$7,000, which would typically be assessed to the property owners. However, staff recommends that the City cover 50% of the repair costs and bill the property owners for the remaining balance. Staff also recommends reimbursing the property owner who has already completed repairs for 50% of their eligible costs.

City staff will contact the remaining property owners prior to the next Commission meeting to determine whether they are willing to complete the repairs with the proposed 50% cost share, in lieu of proceeding with condemnation.

Estimated cost is based on the City contract for concrete work.

L	W	SY	Bid Price	
54	6	36	\$ 125.00	\$4,500.00
24	6	16	\$ 125.00	\$2,000.00
6	6	4	\$ 125.00	\$ 500.00

Motion:

On the motion of Scott Smith, seconded by Tim White, the Commission tabled the condemnation and repair of the non-compliant sidewalks, and to provide a cost-share incentive whereby the City will cover 50% of the repair costs.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

- E. Consider recommendation from the Planning Commission to amend the zoning code and adopt a landscaping ordinance.

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During the 2025 zoning code update, the originally proposed landscaping article was not adopted due to concerns with complexity and applicability to Independence.

Staff prepared a revised draft with a simpler, frontage-based approach. A joint work session was held on February 3, 2026, where both the Planning Commission and City Commission reviewed the draft and supported the direction.

Planning Commission Action

The Planning Commission held a public hearing on April 7, 2026, and voted 7-0 to recommend approval of Article XIX as presented.

Key Elements

- One (1) tree per 50 feet of street frontage
- Substitutions allowed where utilities or site constraints limit planting
- Credit for existing trees
- Optional incentives for enhanced landscaping
- Cost cap and limited applicability for smaller expansions

Motion:

On the motion of Tim White, seconded by Scott Smith, the Commission adopted Ordinance No. 4505 adding a new Article XIX to the Zoning Code related to Landscaping Regulations, as recommended by the Planning Commission.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

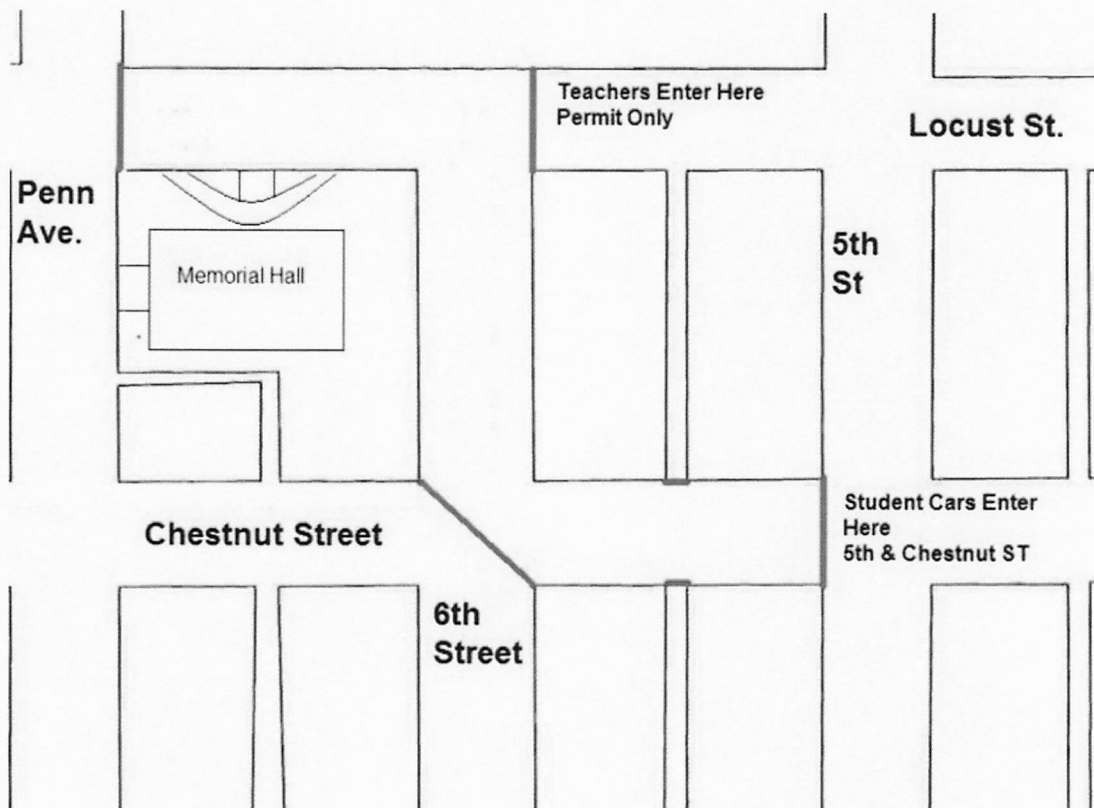
- F. Consider closing Locust from Penn to 6th Street, 6th Street from Locust to Chestnut, and Chestnut from 5th to 6th Street for the Independence High School Prom on Saturday, May 2, 2026 from 4:00 PM to approximately 8:30 PM.

Marci Horning, with USD 446, is requesting the following streets be blocked on May 2nd, 2026, from 4:00 PM to approximately 8:30 PM. The blocked streets will allow the Prom participants to drive up and walk into the Civic Center. The following diagram shows the streets that will be blocked during this time.

- Locust from Penn to 6th Street

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- 6th Street from Locust to Chestnut
- Chestnut from 6th to 5th Street



IHS staff will stage the students in their vehicles within the blocked-off area and direct them to the front of the Civic Center where the couples will be announced, and then enter Prom inside the Civic Center. Adult valets will drive the students' cars to the appropriate parking lot while other cars arrive to deposit students. This process takes approximately two hours and begins at 6:00 PM. We have requested 4:00 PM to allow time for barricades to be put in place and vehicles removed from the area if necessary.

Motion:

On the motion of Scott Smith, seconded by Tim White, the Commission approved closing Locust from Penn to 6th Street, 6th Street from Locust to Chestnut, and Chestnut from 5th to 6th Street for the Independence High School Prom on Saturday, May 2, 2026 from 4:00 PM to approximately 8:30 PM.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

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- G. Consider award of the construction of the 2026 Salt-Sand Storage project to A&B Construction, LTD in the amount of \$114,130.00.

The consolidated public works building was purchased in August. In order to bring full functionality to the facility, a location is needed to store road salt and aggregate to provide melting/friction surfaces. The currently existing facility is slated to be sold, and it is recommended to place the new storage facility at the new public works building. The bids were opened on March 19, 2026, and the bid tabulation is attached. The low bidder, was A&B Construction, LTD, in the amount of \$108,150.00. In reviewing the bids, they had not included engineering of the foundation, and provided a price of \$5,980.00 for that review, for a total cost of \$114,130.00.

References reviewed indicated adequate experience in similar work.

Motion:

On the motion of Tim White, seconded by Scott Smith, the Commission authorized award of the construction of the 2026 Salt-Sand Storage project to A&B Construction, LTD in the amount of \$114,130.00 and for the execution of any necessary documents.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

- H. Consider a contract addendum with Green Environmental Recycling and Disposal, LLC for landfill services.

In October of 2025, the City entered into a contract with Green Environmental Recycling and Disposal, LLC (Green). Green indicated that they would be open for business by April 1, 2026. They are not open. The City recently extended the City's contract with Resource Recovery, Inc., our current landfill until September 30, 2026, so the delay in opening of the new facility will not provide a negative impact on our operations. Provisions in the addendum will allow the City to void and rebid the contract with Green should they not show adequate progress.

Motion:

On the motion of Scott Smith, seconded by Tim White, the Commission approved the contract addendum with Green Environmental Recycling and Disposal, LLC and for the execution of any necessary documents.

Aye: Dean Hayse, Scott Smith, Tim White

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Nay: None

- I. Consider purchasing two replacement salt/sand spreaders from American Equipment Company for \$50,244.00.

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. On April 2, 2026, two bids were opened for replacement salt/sand spreaders. The low bid, from American Equipment Company in Kansas City, Kansas, was \$25,122.00 per unit, or \$50,244.00 for two units. The second bidder, Paris Supply of Georgetown, Kentucky was at \$58,157.32 for two units.

Purchase of two units is recommended. There were no bids for trade-in by either bidder, so it is requested that the Commission allow disposal via an auction with Purple Wave, or, if no bids are received, to sell the units as scrap.

Motion:

On the motion of Tim White, seconded by Scott Smith, the Commission approved the purchase of two truck-mounted salt/sand spreaders from American Equipment Company for the amount of \$50,244.00 and to dispose of the existing units as described.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

- J. Consider proclaiming May 3-9, 2026 as Public Service Recognition Week.

Introduced in 1985 by President Reagan, Public Service Week honors the people in the public sector and acknowledges their efforts to provide services to the citizens. The City of Independence would like to honor our employees who provide services to the citizens of Independence. In addition, we would like to invite the City Commission to attend an appreciation luncheon for our employees on Tuesday, May 5, 2026 from 11 AM to 1 PM in the new Public Works facility. We also would like to invite the public to attend an open house for the for the new Public Works facility on Thursday, May 7, 2026 from 3 PM to 6 PM.

Motion:

On the motion of Scott Smith, seconded by Tim White, the Commission proclaimed May 3-9, 2026, as Public Service Recognition Week in

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Independence, Kansas.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

VII. REPORTS

A. City Board Minutes

1. January 28th 2026 IHPRC Meeting Minutes
2. February 3rd 2026 Planning Commission/Board of Zoning Appeals Minutes.
3. February 17th 2026 Independence Housing Authority Minutes.
4. April 15th 2026 IRC Board Minutes.

B. Public Works and Project Report

Engineer Garris presented the report.

C. Appropriations

VIII. CITY MANAGER'S COMMENTS

City Manager Passauer reported that there were not enough applications submitted for the library board, so the deadline to file has been extended to May 4th, 2026.

Finance Director Lies provided an update on a neighborhood park party at the park at Coffeyville and Wald Streets on May 3rd, 2026 at 4:00 PM.

City Manager Passauer reviewed the upcoming Commission meetings.

IX. COMMISSIONERS' COMMENTS

Commissioner Smith noted that progress is being made with the acquisition of

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property with Standard Motor Products.

X. PUBLIC CONCERNS

None.

XI. EXECUTIVE SESSION

- A. Consultation with an attorney on matters that would be deemed privileged in an attorney-client relationship.

Motion:

On the motion of Dean Hayse, seconded by Scott Smith, the Commission recessed for an executive session for consultation with an attorney representing the City regarding a legal issue pursuant to the attorney/client privilege exception found at K.S.A. 75-4319(b)(2). The open meeting will resume at 7:33 p.m. in the Commission Room of City Hall.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

The open meeting resumed at 7:33 p.m. with no action taken.

XII. ADJOURNMENT

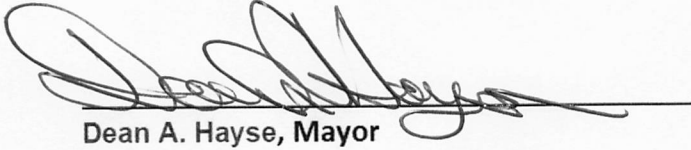
Motion:

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

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

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Dean A. Hayse, Mayor




W. Scott Smith, Commissioner



Tim White, Commissioner

Attest:



City Clerk/Treasurer