

## Minutes of the City Commission's May 14, 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; Jordan Bagley, IT Technician Coordinator; Jimmy Holt, Assistant Police Chief; Aaron Cook, Fire Chief; April Nutt, Director of Housing Authority; and Lacey Lies, Finance Director.

Visitors Present: Larry McHugh, Breanna Sanford, Sherri Garris, Mitch Walter, Ginger Hill, Lori Kelley, Beth Patton, Gina Halsey, Ned Stichman and Tabatha Snodgrass.

#### 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. APPOINTMENTS

#### A. Consider appointing two new members to a 1st term on the Library District Board of Trustees expiring on May 1, 2030.

**Two terms expired on May 1, 2026 on the Library District Board of Trustees. Michelle Avery has served two full terms and is not eligible for reappointment under the City's term limitation policy. Andy Taylor is eligible for reappointment; however, he has advised that he does not wish to be reappointed. The City wishes to thank both Michelle and Andy for their service to the Library Board.**

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The City accepted applications for the Library District Board of Trustees with an application deadline of May 4, 2026. Four applications were received by the deadline. Under the Independence Area Library District Act, the Library Board consists of seven members. Four members are appointed by the Governing Body of the City of Independence and must be residents of the City. Two members are appointed by the USD 446 Board of Education and must reside within the library district but outside the Independence city limits. One member is appointed by the governing body of the City of Elk City. The following applications were received:

Applicant	Date Received	City Limits	Summary
Ian Cizerle-Brown	April 2, 2026	Yes	Has completed Kansas Leadership Center training and Leadership Independence. Serves in a supervisor role at Four County Mental Health Center, serves on work committees, and serves on the Rural and Frontier Subcommittee under the Governor's Behavioral Health Council.
Debbie Dye	April 16, 2026	Yes	Has served as City Council PTA President and on the USD 446 School Board. Her background also includes Tri-County Board programs, City Rec Board programs, cheerleading coach, substitute teaching for USD 446, tutoring, Neewollah volunteering, church and community volunteering, and Girl Scouts. She expressed interest in supporting the Library as an important community resource, especially for youth.
Madison Henderson	April 17, 2026	Yes	Works in Financial Aid at Coffeyville Community College, where she supports students, navigates compliance requirements, maintains confidentiality, and works with institutional regulations. She expressed interest in supporting accessibility, responsible stewardship, and community-focused decision-making.
Pat Alexander	April 29, 2026	Yes	Worked in the Independence Middle School Library for six years, is an avid reader, and has used the Independence Public Library for more than 60 years. She expressed interest in helping the Library continue serving the community.

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Below is the current makeup of the Independence Library Board:

INDEPENDENCE LIBRARY DISTRICT BOARD OF TRUSTEES			
4 year terms -- 7 members			
Members	Term	Expires	Appointed
Lauri Henisey	1st term	May 1, 2029	07/10/2025
Michelle Avery President	2nd term	May 1, 2026	4/26/2018
Carolyn Torrance	1st term*	May 1, 2029	Appointed 11/10/2022 Replaced Bill Kelly
Andy Taylor	Unexpired	May 1, 2026	4/27/2023
Ronald Schwatken Secretary	2nd term USD 446 Rep	May 1, 2029	7/13/2020
Vacant	Unexpired Elk City Rep	May 1, 2023	
England Porter	1st term* USD 446 Rep	May 1, 2029	
* Previously served unexpired term			
Meeting Place: Centennial Room, Library			
Meeting Date: Third Wednesday			
Meeting time: 4:15 p.m.			

**Motion:**

On the motion of Dean Hayse, seconded by Tim White, the Commission appointed Ian Cizerle-Brown and Debbie Dye to first terms on the Library District Board of Trustees effective May 1, 2026 and expiring on May 1, 2030.

**Aye:** Dean Hayse, Scott Smith, Tim White

**Nay:** None

III. PRESENTATIONS

- A. Introduction and swearing-in of the Independence Police Department's new Assistant Chief of Police, Jimmy Holt.

On behalf of the City of Independence and the Independence Police Department, it is my honor to introduce our new Assistant Chief of Police, Jimmy Holt. Assistant Chief Holt brings more than 20 years of experience in law enforcement and corrections, including service as Deputy Chief, Interim Chief, and Chief of Police in Cherryvale, Kansas. Throughout his career, he has demonstrated a strong commitment to professional policing, effective leadership, and meaningful community engagement. He is highly regarded for his administrative expertise in budgeting, grant acquisition, and resource management, and has played an important role in strengthening departmental operations while supporting broader city initiatives. His leadership philosophy is rooted in accountability, collaboration, and leading by example. Just as importantly, Assistant Chief Holt has remained dedicated

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**to community-oriented policing, working to build trust and lasting relationships between law enforcement and the citizens they serve.**

- B. Presentation from Four County Mental Health on programs that utilize the City's Special Alcohol Funds.

**Four County Mental Health has requested to present to the Commission regarding the City's Special Alcohol Funds.**

**Moneys in the special alcohol and drug programs fund shall be expended only for the purchase, establishment, maintenance or expansion of services or programs whose principal purpose is alcoholism and drug abuse prevention and education, alcohol and drug detoxification, intervention in alcohol and drug abuse or treatment of persons who are alcoholics or drug abusers or are in danger of becoming alcoholics or drug abusers.**

IV. 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 regular and special meetings on April 9, 15, 23, and 29.

**Suggested Motion:**

**I move to approve the minutes of the regular and special meetings held on April 9, 15, 23, and 29, 2026.**

- B. Consider authorizing bidding for the 2026 Street Marking project.

**It has been requested to refresh existing paint marking on several road segments. Given that the volume of painting requested likely exceeds the capacity of the Street Department since they have a relatively small window when they have time, a private contractor is the best alternative to get the work done. A bid date was originally scheduled in March of 2026, but no bids**

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were received. The attached bid document has been revised from lump sum to unit-price. If approved, bids would be due at 2pm on June 11, 2026.

### **Suggested Motion:**

**I move to authorize bidding of the 2026 Street Marking project.**

- C. Consider authorizing the Mayor to sign a 90-Day Bid-Time Extension Request for the CDBG project at Riverside Park.

The current Notice of Acceptance timeline for project bids is July 1, 2026. To stay on track for that timeline, the city would need to advertise for bids by May 15th. The contracted engineer for the project is GFT Infrastructure. They have indicated that engineering and design work remains incomplete. Specifically, additional coordination is needed regarding the playground and landscape-related components of the project. GFT has advised that portions of the design associated with these components may need to be subcontracted to Indigo Design, the architect responsible for the original playground concept plan, due to their specialized experience in playground design. To allow adequate time to complete the design and engineering, they are requesting a 90-day extension. This would change the bid process to the following timeline.

**Advertise for Bids on or before August 15, 2026**  
**Open Sealed Bids on or before September 15, 2026**  
**Notice of Award (NOA) on or before October 1, 2026**

### **Suggested Motion:**

**I move to authorize the Mayor to sign the 90-Day Bid-Time Extension Request for the CDBG project at Riverside Park.**

- D. Consider authorizing a Greenbush Energy Group Participation Agreement and Fixed Price Authorization for natural gas procurement for Memorial Hall.

City staff has worked with the Greenbush Energy Group for approximately ten years on the procurement of natural gas for City facilities. In past years, this agreement included both Memorial Hall and Building D. Following the sale of Building D, the agreement now applies only to Memorial Hall, which is the City's only facility with sufficient natural gas usage to qualify for participation.

Participation in this program has provided stability in pricing and reduced exposure to market volatility during extreme weather events. The proposed 2026 to 2029 participation agreement differs from prior years in that it

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establishes a three year fixed price contract covering all natural gas usage at Memorial Hall, eliminating exposure to market price fluctuations, rather than a one year agreement with partial or phased fixed pricing options. Following participation approval, the City will receive a supply agreement from WoodRiver Energy for execution.

**Suggested Motion:**

I move to authorize the City Manager to sign a Greenbush Energy Group Participation Agreement and Fixed Price Authorization, and any other related documentation with our third party gas supplier, WoodRiver Energy, pending the City Attorney's review and approval.

V. PUBLIC HEARING

- A. Public Hearing to consider an Ordinance for a Reinvestment Housing Incentive 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. RHIDs are a critical tool in enabling housing development in rural communities where construction costs often exceed final property values.

**Motion:**

On the motion of Tim White, seconded by Scott Smith, the Commission approved Ordinance No. 4506 establishing a Reinvestment Housing Incentive District for 201 N Penn Avenue.

**Aye:** Dean Hayse, Scott Smith, Tim White

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**Nay: None**

- B. Public hearing to consider a resolution of the intent to issue industrial revenue bonds with the provision of a tax abatement for property located at 201 N. Penn Ave.

**201 Investors LLC has a contract to purchase the building at 201 N. Penn in historic downtown Independence for the purpose of renovating the first floor into usable commercial and residential space while renovating the upper floors into apartments. 201 Investors LLC is requesting the City authorize the issuance of taxable industrial revenue bonds for the purpose of financing the acquisition, construction, renovation, furnishing and equipping of mixed use commercial facilities located at 201 N Penn Avenue.**

**Motion:**

**On the motion of Scott Smith, seconded by Tim White, the Commission adopted Resolution 2026-057 of intent to issue industrial revenue bonds with the provision of a tax abatement for property located at 201 N. Penn Avenue.**

**Aye: Dean Hayse, Scott Smith, Tim White**

**Nay: None**

- C. 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 due to 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 did not have active utility services as of November 9, 2020.**

**The structures located at 1100 and 1104 W. Chestnut were subsequently purchased by Luis Aguiar, who submitted a proposed timeline for repairs to the properties. Work is currently underway at 1100 W. Chestnut.**

**City staff recommends adjourning the hearing until July 23, 2026, at 5:30 p.m.**

**Motion:**

**On the motion of Tim White, seconded by Scott Smith, the Commission adjourned the Public Hearing for 1104 W. Chestnut until July 23, 2026, at 5:30 pm.**

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**Aye: Dean Hayse, Scott Smith, Tim White**

**Nay: None**

VI. ITEMS FOR COMMISSION ACTION

- A. Consider proclaiming May 10th - 16th as Police Week.

**In 1962, President John F. Kennedy signed a proclamation designating May 15th as Peace Officers Memorial Day and that week Police Week. National Police Week is a time to support Law Enforcement communities while honoring officers who made the ultimate sacrifice in the line of duty.**

**Motion:**

**On the motion of Scott Smith, seconded by Tim White, the Commission proclaimed May 10th through May 16th as Police Week in Independence in recognition of the commitment to excellence the members of the Independence Police Department demonstrate every day.**

**Aye: Dean Hayse, Scott Smith, Tim White**

**Nay: None**

- B. Consider proclaiming May 17th - 23rd as EMS Week.

**Since its inception in 1974, EMS Week has stood as an annual tribute to the tireless efforts and unwavering dedication of Emergency Medical Services practitioners. Celebrated during the third week of May, this week underlines the pivotal role these professionals play in saving lives, preserving public health and safety, and supporting their communities.**

**The origins of EMS Week date back to 1974 when President Gerald Ford established the first "National Emergency Medical Services Week". The goal was to recognize the vital work of EMS practitioners and raise public awareness about EMS. Today, EMS Week is celebrated annually with various events and activities that honor the achievements of EMS practitioners, highlight the importance of EMS in healthcare, and increase awareness of the challenges and issues faced by the EMS community. This is the 52nd anniversary of EMS Week.**

**Motion:**

**On the motion of Tim White, seconded by Scott Smith, the Commission proclaimed May 17th - 23rd, 2026 as EMS Week.**

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**Aye:** Dean Hayse, Scott Smith, Tim White

**Nay:** None

- C. Consider authorizing applying for Kansas EV Charging Infrastructure Funding from the Kansas Department of Transportation (KDOT).

Updated vendor pricing has been received for EV charging equipment from Lilypad. The revised quote reflects a total cost of approximately \$11,026.06 per dual port charging unit prior to tax, consistent with prior estimates which excluded sales tax. The updated pricing shows a modest increase in the base charger cost from \$7,819 to \$7,972.06 per unit, while all other components including the cloud subscription of \$730, mounting template of \$125, ChargePoint Assure of \$430, activation services of \$249, and freight of \$260 remain unchanged.

The updated quote also includes installation and commissioning services at a cost of \$1,260 per unit. This cost was not previously itemized in prior equipment quotes, and it is unclear whether it was fully accounted for within earlier installation estimates. This cost will be evaluated as part of the updated project budget.

Based on three units, the total equipment and commissioning cost is approximately \$33,078.18 prior to tax. The updated equipment pricing results in an estimated increase of approximately \$459 over prior project cost assumptions.

Additional costs associated with site preparation, electrical work, and installation by a local contractor are not included in this vendor quote and will be refined as part of the grant application process. Previous planning estimates indicated a total project cost of approximately \$132,188.78 when including full installation and contingency. Updated vendor pricing will be incorporated into revised project budgets as the application is developed.

Utility rebates, including potential incentives from Evergy, may be available to offset project and operational costs. Based on prior coordination, Evergy rebates are estimated at approximately \$5,000 per dual port charging unit, or \$15,000 total for three units. Additional coordination is ongoing to confirm eligibility of these incentives under the proposed funding structure and whether they can be applied toward any required match.

Ongoing maintenance costs beginning in year two are estimated at approximately \$3,480 annually for all three units. Funding for the project is

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anticipated through the NEVI Program, which provides federal funding for eligible projects.

Authorization at this stage is limited to submission of the Project Interest Form and does not require a financial commitment from the City. Any additional future financial obligations beyond the estimated equipment, installation, and ongoing maintenance costs will be brought back to the City Commission for consideration and approval prior to implementation.

**Motion:**

On the motion of Scott Smith, seconded by Tim White, the Commission authorized submission of a Project Interest Form to the Kansas Department of Transportation for EV Charging Infrastructure Funding.

**Aye:** Dean Hayse, Scott Smith, Tim White

**Nay:** None

- D. Consider cosponsoring the Biking Across Kansas event on June 11–12, 2026, authorizing the use of Memorial Hall, blocking the 200 block of North Penn, authorizing food trucks to set up downtown and at Memorial Hall, and waiving the sign regulations regarding event-related signs in the City rights-of-way during the event.

**The City of Independence has been selected as an official host community for the 2026 Biking Across Kansas event, an annual statewide bicycle tour that promotes tourism, health, and community engagement.**

**Bike Across Kansas is a multi-day cycling tour that brings participants from across Kansas and beyond, with Independence scheduled as an overnight host location on June 11, 2026.**

**Planning efforts have been underway in coordination with the Independence Chamber of Commerce, local schools, City departments, and event organizers. Regular coordination meetings have been held to finalize logistics, including event scheduling, food planning, and community engagement activities.**

**Recent updates from BAK organizers indicate strong participation, with approximately 382 individuals registered as of early May, including riders, volunteers, and staff.**

**As part of hosting responsibilities, the City has been asked to support event operations through facility use, traffic control, vendor accommodations, and**

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temporary signage allowances. These coordinated efforts are intended to ensure a safe and welcoming experience for participants while maximizing community involvement and economic activity.

Food vendors participating in the event will be required to comply with all City permitting and licensing requirements.

This coordinated effort is intended to ensure a safe and welcoming experience for participants while maximizing community involvement and economic activity.

### **Motion:**

On the motion of Tim White, seconded by Scott Smith, the Commission approved co-sponsorship of the Biking Across Kansas event from June 11 to June 12, 2026, authorized the use of Memorial Hall, approved the temporary closure of the 200 block of North Penn, authorized food trucks to operate downtown and at Memorial Hall during the event, and waived sign regulations related to event signage within City rights of way for the duration of the event.

**Aye:** Dean Hayse, Scott Smith, Tim White

**Nay:** None

- E. Consider approving a Downtown Independence Building Grant for 201 West Main, Booth Residences LLC.

Jarod Clark, owner of Booth Residences LLC, has applied for a Downtown Independence Building Grant. Mr. Clark intends to replace the roof above the 5th floor work to be performed by Falcon Roofing with a bid in the amount of \$152,015.76. All required documents have been submitted to meet the program requirements, roof replacement is an eligible grant request, and the Downtown Independence Building Grant committee has approved the request.

In addition to applying for the Downtown Independence Building Grant, the Booth Residences LLC also received a \$100,000 Heritage Trust Fund Grant to assist with roof replacement.

### **Motion:**

On the motion of Scott Smith, seconded by Tim White, the Commission approved a Downtown Independence Building Grant in the amount of \$25,000 for 201 West Main, Booth Residences LLC.

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**Aye: Dean Hayse, Scott Smith, Tim White**

**Nay: None**

VII. REPORTS

A. City Board Minutes

- 1. March 3rd 2026 Planning Commission/Board of Zoning Appeals Minutes.**
- 2. April 7th 2026 Planning Commission/Board of Zoning Appeals Minutes.**
- 3. April 13, 2026 Independence Historical Preservation and Resource Commission Minutes.**

VIII. CITY MANAGER'S COMMENTS

City Manager Passauer provided a list of upcoming special and regular Commission meetings and noted that City Hall will be closed for Memorial Day.

Assistant City Manager Cowan provided an update on future condemnations and demolitions.

Director Nutt provided an update on the homes that were completed in the Jefferson Subdivision.

IX. COMMISSIONERS' COMMENTS

Commissioner White mentioned that he was excited about the increase in nice homes available to show to potential buyers.

X. PUBLIC CONCERNS

Beth Patton expressed her concern over the Beech Street culvert project.

XI. EXECUTIVE SESSION

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

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**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 6:43 p.m. in the Commission Room of City Hall.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

The open meeting resumed at 6:43 p.m.

**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 6:50 p.m. in the Commission Room of City Hall.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

The open meeting resumed at 6:50 p.m. with no action taken.

B. Discussions prior to acquisition of real estate.

**Motion:**

On the motion of Dean Hayse, seconded by Scott Smith, the Commission recessed for an executive session to discuss the possible acquisition of real estate pursuant to the preliminary discussion on the acquisition of real estate exception, KSA 75-4319(b)(6). The open meeting will resume at 7:12 p.m. in the Commission Room of City Hall.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

The open meeting resumed at 7:12 p.m.

XII. POSSIBLE ACTION AFTER EXECUTIVE SESSION

A. Consider authorizing the acquisition of property pending City Attorney approval.

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**Motion:**

On the motion of Dean Hayse, seconded by Scott Smith, the Commission authorized the acquisition of a parcel totaling approximately 7.99 acres from Rodney and Erin Musgrove for \$285,000, using Economic Development Funds, pending City Attorney approval, for future economic development. The property is located directly north of the FedEx facility.

**Aye:** Dean Hayse, Scott Smith, Tim White

**Nay:** None

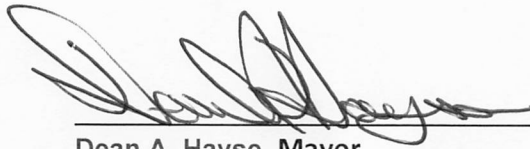
XIII. ADJOURNMENT

**Motion:**

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

**Aye:** Dean Hayse, Scott Smith, Tim White

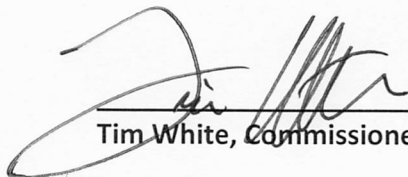
**Nay:** None



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Dean A. Hayse, Mayor

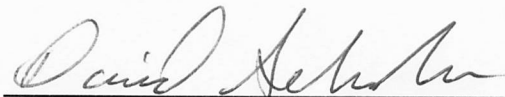


\_\_\_\_\_  
W. Scott Smith, Commissioner



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Tim White, Commissioner

**Attest:**



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City Clerk/Treasurer