

Minutes of the City Commission's June 25, 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 Garriss, City Engineer/Director of Public Works; Jimmy Holt, Assistant Police Chief; Kayla Schabel, Administrative Assistant to the City Manager; Jordan Bagley, IT Technician Coordinator; Dustin Stafford, Chief of Police; Paula Hayes, Administrative Aide to the Chief of Police; Evan Moffitt, Police Officer; and Lacey Lies, Finance Director.

Visitors Present: Breanna Sanford.

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 "B" in front of item "A" under Presentations.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

II. APPOINTMENTS

- A. Consider reappointing Barb Beurskens to a 1st term on the Park Board, and reappointing Leslie Coder and Breanne Sanford to a 2nd term, all expiring on July 1, 2029.

The terms for Barb Beurskens, Leslie Coder, and Breanne Sanford expire on July 1, 2026. All are eligible to serve an additional term.

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PARK BOARD (3 year terms – 9 members)			
Members	Term	Expires	Appointed/Reappointed
Angie Musgrove	1st term	July 1, 2027	7/25/2024
David Fritzmeier	1st term	July 1, 2027	7/25/2024
Matt Housel (Outside City)	1st term	July 1, 2027	7/25/2024
Steve McBride	2nd term*	July 1, 2028	12/9/2021
Edward Epp	2nd term	July 1, 2028	6/23/2022
Melinda Miller (Outside City)	1st term	July 1, 2028	7/10/2025
Leslie Coder	1st term	July 1, 2026	8/10/2023
Breanne Sanford	1st term	July 1, 2026	8/10/2023
Barb Beurskens (Outside City)	Unexpired	July 1, 2026	7/25/2024
	FORPAZ	Ex-officio	
	City Rec	Ex-officio	
* Previously served unexpired term			
Meeting Place: Tennis Club House Meeting Date: First Monday Meeting Time: 5:30 p.m.			

Motion:

On the motion of Dean Hayse, seconded by Tim White, the Commission reappointed Barb Beurskens to a 1st term on the Park Board and reappointed Leslie Coder and Breanne Sanford to a 2nd term, all expiring on July 1, 2029.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

- B. Consider reappointing Joseph Housel to a 2nd term on the Recreation Commission expiring on July 1, 2030.

Joseph Housel's first term expires on July 1, 2026. He is eligible for reappointment to a second term expiring on July 1, 2030.

RECREATION COMMISSION (Joint USD #446 & City) (4 year terms – 5 members)			
Members	Term	Expires	Appointed
Dustin Woodward (USD # 446)	1st term	July 1, 2027	
Tanner McClure	1st term	July 1, 2029	6/11/2025
Joseph Housel (City)	1st term	July 1, 2026	6/23/2022
Greg Kelley (Rec. Com.)	1st term	July 1, 2027	
Mike Rose (USD # 446)	1st term	July 1, 2029	
Meeting Place: Ash Youth Center 620-331-0260 Meeting Date: Third Wednesday Meeting Time: 11:30 a.m.			

Motion:

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On the motion of Dean Hayse, seconded by Scott Smith, the Commission reappointed Joseph Housel to a 2nd term on the Recreation Commission, expiring on July 1, 2030.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

III. PRESENTATIONS

- B. Introduction and swearing-in of Independence Police Department's newest officer, Officer Evan Moffitt.

Evan Moffitt has been selected to serve the citizens of Independence as a Police Officer with the Independence Police Department.

Evan began his law enforcement career with the Montgomery County Sheriff's Office, where he served as a Deputy Sheriff. During his time there, he attended and successfully graduated from the Kansas Law Enforcement Training Center's Basic Training Academy.

After leaving the Sheriff's Office, Evan continued his service to the community as a member of Independence Fire and EMS. He has since joined the Independence Police Department and is currently progressing through our Field Training Officer Program.

We are pleased to welcome Officer Moffitt to the department and look forward to his continued service to the citizens of Independence.

City Clerk Schwenker administered the oath.

- A. Presentation of the 2025 Financial Audit.

Sean Gordon, CPA for GordonCPA will be available to present the 2025 City Audit

IV. ITEMS FOR COMMISSION ACTION

- A. Consider a resolution to rescind prior condemnation actions for 316 S. Earl Street.

The property located at 316 S. Earl Street was previously reported to the City for multiple code violations, including the condition of the primary structure

and exterior yard, unauthorized camping, accumulation of junk and debris, and the lack of water service to the residence.

Due to the absence of water service, Code Enforcement issued an Order to Vacate and subsequently worked with the property owner to rehabilitate the structure to meet NSPIRE standards and restore utility service to the residence.

On May 4, 2026, a reinspection of the property was completed, and the residence was found to be in compliance with applicable standards and successfully passed inspection.

Staff is requesting that the Commission rescind the condemnation order for 316 S. Earl Street.

Motion:

On the motion of Scott Smith, seconded by Tim White, the Commission adopted a resolution rescinding prior resolutions that initiated condemnation proceedings for 316 S. Earl Street.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

- B. Consider a resolution to rescind prior condemnation actions for 1014 W. Beech Street; and authorize the release of insurance proceeds.

On January 28, 2026, the residential structure located at 1014 W. Beech Street sustained extensive fire damage affecting both the interior and exterior of the home. Due to the severity of the damage, the structure was deemed uninhabitable and determined to be a total loss.

The property owner maintained insurance coverage through USAA. In accordance with state law, the City notified the insurer of the loss and received insurance proceeds to ensure the removal of the damaged structure.

The owner subsequently contracted with MEGA, LLC to demolish and remove the structure. The demolition was completed on June 3, 2026.

The property owner has requested the release of the insurance proceeds currently being held by the City of Independence and has provided a lien

release demonstrating that all demolition-related obligations have been satisfied.

Staff recommends approval of the owner's request and the release of the insurance proceeds.

Motion:

On the motion of Tim White, seconded by Scott Smith, the Commission adopted a resolution rescinding previous resolutions that condemned the structure at 1014 W. Beech Street as dangerous and unsafe; and to return any insurance proceeds the City may have received regarding this structure.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

- C. Consider setting the date of August 27, 2026 at 5:30 PM for a Public Hearing to consider the condemnation of 412 W. Magnolia Street as dangerous and unsafe.

The City has received complaints and observations from Code Enforcement staff and neighboring residents regarding the condition of the structure(s) located at 412 W. Magnolia Street. The property exhibits significant deterioration, including broken and missing windows, substantial damage to the roof resulting in open exposure to the elements, and other conditions indicative of prolonged neglect. Due to its current state, the structure appears unfit for human occupancy and continues to deteriorate, creating potential safety hazards and adversely affecting surrounding properties.

Motion:

On the motion of Scott Smith, seconded by Tim White, the Commission adopted a resolution setting the date of August 27, 2026 at 5:30 PM for a Public Hearing to consider the condemnation of 412 E. Magnolia Street as dangerous and unsafe.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

- D. Consideration of Resolution No. 2026-079 Approving a Conditional Use Permit for an Accessory Dwelling Unit at 600 East Maple Street.

Josafat Lemus Sedano, owner of 600 East Maple Street, has requested a Conditional Use Permit to convert an existing detached garage into an accessory dwelling unit (ADU). Accessory dwelling units are permitted only

by Conditional Use Permit, which requires approval by both the Planning Commission and the City Commission.

Planning Commission Recommendation

At its June 2, 2026 meeting, the Planning Commission voted 8-0 to recommend approval of the Conditional Use Permit, subject to the following conditions:

1. The Conditional Use Permit shall allow one accessory dwelling unit within the existing detached garage located at 600 East Maple Street.
2. No more than two dwelling units total shall be allowed on the property, including the principal dwelling and the accessory dwelling unit.
3. The property, principal dwelling, and accessory dwelling unit shall remain under the same ownership.
4. The owner shall live on the property as their principal place of residence, either in the principal dwelling or in the accessory dwelling unit.
5. The accessory dwelling unit shall not exceed 800 square feet or 80% of the total gross floor area of the principal dwelling, whichever is less.
6. The accessory dwelling unit shall have its own bathroom and kitchen and shall meet all applicable building code and permit requirements before occupancy.
7. The applicant shall provide the required off-street parking for both the principal dwelling and accessory dwelling unit. Parking spaces shall not be tandem and shall be usable without moving another vehicle.
8. Vehicles shall be parked only on approved parking surfaces and shall not be parked in the yard unless otherwise allowed by City code.
9. No separate driveway for the accessory dwelling unit shall be allowed unless specifically approved by the City.
10. The exterior appearance of the accessory dwelling unit shall complement the principal dwelling and comply with applicable City design standards.
11. The property shall be maintained in compliance with all applicable City codes, including property maintenance requirements.
12. Any fence located on the property shall be maintained in compliance with applicable City code requirements.
13. Approval of the Conditional Use Permit is subject to approval of the related variance request for the existing garage setback.
14. Any future expansion, addition, reconstruction, or change to the accessory dwelling unit shall comply with all applicable zoning and building code requirements and may require additional approval.

Motion:

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

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approved Resolution No. 2026-079, granting a Conditional Use Permit for an accessory dwelling unit at 600 East Maple Street, subject to the conditions recommended by the Planning Commission.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

- E. Consider adopting Ordinance No. 4507 Disconnection of Public Utilities Services from condemned structures.

The condemnation process requires the City to disconnect utility services from a property before a contractor can safely remove a structure. When a property owner refuses to voluntarily disconnect utility service, utility providers require legal authorization before terminating those connections.

To address this requirement, the City Attorney has prepared the following ordinance. Utility providers have reviewed the proposed ordinance and confirmed that it satisfies the legal requirements necessary to disconnect utility services as part of the condemnation process.

Motion:

On the motion of Scott Smith, seconded by Tim White, the Commission approved Ordinance No. 4507 for the disconnection of Public Utilities Services from condemned structures.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

- F. Consider shifting the centerline on Oak Street between 13th Street and 21st Street.

An item was brought to the Commission to consider prohibiting parking on the south side of Oak Street at the Commission meeting on February 26. The Commission requested a review of other alternatives given the potential to impact residents with limited driveway space. This request was due to safety concerns raised by the USD 446 Transportation Department, as they noted that when a vehicle was parked on the south side of the road, the only way for them to pass it was to cross the double-yellow line in this area.

It was suggested that we move the centerline of the roadway north. As this roadway is jointly shared by Montgomery County and the City, test markings were placed to simulate a north lane lowered to 11 feet in total width. When

driven, this lowered lane width moved the traffic such that a parked vehicle could now be passed without the necessity of crossing the street centerline during tests. Additionally, the narrower westbound lane tended to constrain driving speeds more closely to the posted 30 miles per hour speed limit.

As the shoulder does not experience drop-offs in the area, it is compatible with the lowered lane width.

Cooperation with the County is required to implement this solution. It is suggested that the City pay for the movement of the line, given that the benefits of the parking zone will primarily accrue to citizens of Independence.

There have been no issues between 10th and 13th, but if issues should arrive it could be reviewed separately by the Commission as this area entirely within the City and is more amenable to a "no parking" solution if required.

Motion:

On the motion of Tim White, seconded by Scott Smith, the Commission allowed shifting of the centerline on Oak Street between 13th Street and 21st Street, provided that Montgomery County concurs.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

- G. Consider awarding construction engineering for the Runway 4/22 Mill and Overlay project to H.W. Lochner, Inc.

As a part of the capital plan for maintaining the airport, H.W. Lochner, Inc. (Lochner) is preparing for construction engineering and inspection work on the next planned project at the airport. This project consists mainly of milling and overlay of Runway 4/22 with repair of some additional areas if sufficient funding is available.

Motion:

On the motion of Scott Smith, seconded by Tim White, the Commission authorized the contract with H. W. Lochner, Inc. for the construction engineering and inspection of the 4/22 runway pavement rehabilitation at the Independence Municipal Airport in the amount of \$132,000.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

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V. REPORTS

A. Monthly Projects and Public Works Report

Engineer Garris presented the report.

B. City Board Minutes

1. May 11th 2026 Independence Historical Preservation and Resource Commission Minutes

C. Appropriations

VI. CITY MANAGER'S COMMENTS

City Manager Passauer gave a rundown of upcoming meeting, City Hall will be closed on July 3rd for the 4th of July holiday and gave a rundown of activities that will be happening on the 4th of July.

Assistant City Manager Cowan gave an update on a flood warning issued by the National Weather Service.

VII. COMMISSIONERS' COMMENTS

None.

VIII. PUBLIC CONCERNS

None.

IX. 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

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resume at 4:26 p.m. in the Commission Room of City Hall.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

The open meeting resumed at 4:26 p.m. with no action taken.

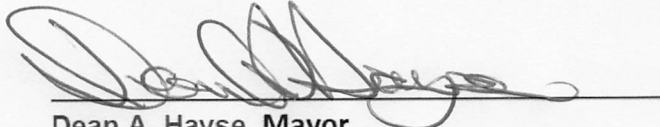
X. ADJOURNMENT

Motion:

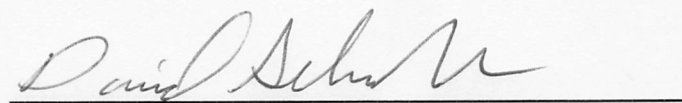
On the motion of Dean Hayse, seconded by Scott Smith the Commission adjourned the meeting.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None


Dean A. Hayse, Mayor
W. Scott Smith, Commissioner
Tim White, Commissioner

Attest:


City Clerk/Treasurer