

INDEPENDENCE CITY COMMISSION

REGULAR SESSION AGENDA

September 10, 2026

5:30 PM

Commission Room City Hall

To participate by conference call:
1 785-289-4727 Conference ID: 847 753 695#

The Agenda shall be as follows:

I. REGULAR SESSION

- A. Call to Order
- B. Pledge of Allegiance to the United States of America
- C. Adoption of Agenda

II. CONSENT AGENDA

(*Consent* is that class of Commission action that requires no further discussion or which is routine in nature. All items on the Consent Agenda are adopted by a single motion unless removed from the Consent Agenda.)

- A. Consider approving the minutes from the July 23rd, August 10th, 13th, 19th and 24th, 2026 Special and Regular Commission meetings
- B. Consider approving the amended minutes from the June 17th, 2026 and July 15th, 2026 Special Commission Meetings to include the discussion of the Revenue Neutral Rate.
- C. Consider approving a Preannexation Agreement with Donald and Devona Moore for Lots 17 and 18, Autumn Hills Subdivision No. 1.
- D. Consider authorizing the Independence Housing Authority to designate a signatory with the authority to execute Real Estate Purchase Agreements on behalf of the Independence Housing Authority for the sale of homes located in the Jefferson Subdivision.
- E. Consider approving an agreement with Community Foundation for Independence to establish an Endowment Fund for the Central Park Sports Complex.
- F. Consider adopting an amended Ordinance 4508 dealing with annexing land owned by the City which adjoins the City limits.

III. PUBLIC HEARING

- A. Public Hearing to Exceed the Revenue Neutral Rate.
- B. Public Hearing regarding the adoption of the 2027 Budget.
- C. Public Hearing to consider the condemnation of 308 S. 15th Street as dangerous and unsafe.
- D. Public Hearing to consider the condemnation of 328 S. 19th Street as dangerous and unsafe.
- E. Public Hearing to consider the condemnation of 412 S. Wald Ave as dangerous and unsafe.
- F. Public Hearing to consider the condemnation of 424 S. 18th Street as dangerous and unsafe.
- G. Public Hearing to consider the condemnation of 522 N. 12th Street as dangerous and unsafe.
- H. Public Hearing to consider the condemnation of 532 S. 13th Street as dangerous and unsafe.
- I. Public Hearing to consider the condemnation of 710 S. 17th Street as dangerous and unsafe.
- J. Public Hearing to consider the condemnation of 813 S. 18th Street as dangerous and unsafe.

- K. Public Hearing to consider the condemnation of 817 S. 4th Street as dangerous and unsafe.
- L. Public Hearing to consider the condemnation of 1015 W. Pine Street as dangerous and unsafe.
- M. Public Hearing to consider the condemnation of 1225 W. Myrtle Street as dangerous and unsafe.

IV. ITEMS FOR COMMISSION ACTION

- A. Consider adopting a resolution amending the Neighborhood Exterior Grant Program.
- B. Consider approving a Downtown Independence Building Grant for 115 South 6th Street.
- C. Consider setting the date of November 12, 2026 for a Public Hearing to consider the condemnation of 400 S. 16th Street as dangerous and unsafe.
- D. Consider quotes received for emergency demolition and abatement of the 1610 W. Laurel Street trailer park.
- E. Consider approving a Proclamation and Resolution for Neewollah and authorizing street closures in the downtown and Riverside Park areas from October 23rd through October 31st for the 2026 Neewollah festival, which includes the carnival, food vendors, parades, and other associated activities.

V. REPORTS

- A. Sales Tax Reports (2026, January - August)
- B. City Board Minutes

VI. CITY MANAGER'S COMMENTS

VII. COMMISSIONERS' COMMENTS

VIII. PUBLIC CONCERNS

IX. ADJOURNMENT



REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
September 10, 2026

Department City Clerk

Director Approval Kelly Passauer

AGENDA ITEM Consider approving the minutes from the July 23rd, August 10th, 13th, 19th and 24th, 2026 Special and Regular Commission meetings

SUMMARY RECOMMENDATION Approve the Minutes

BACKGROUND

FINANCIAL INFORMATION

SUGGESTED MOTION I move to approve the minutes of the Regular and Special meetings held on July 23rd, August 10th, 13th, 19th and 24th, 2026

SUPPORTING DOCUMENTS

1. July 23, 2026 City Commission Meeting Minutes
2. August 10, 2026 Special City Commission Meeting Minutes
3. August 13, 2026 City Commission Meeting Minutes
4. August 19, 2026 Special Commission Meeting Minutes
5. August 24, 2026 Special Commission Meeting Minutes

Minutes of the City Commission's July 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; Luke Bass, City Attorney; David Schwenker, City Clerk/City Treasurer; John Garris, City Engineer/Director of Public Works; Dustin Stafford, Chief of Police; and April Nutt, Director of Housing Authority.

Visitors Present: Larry McHugh, Breanna Sanford, Mike Gilstrap, Greta Gilstrap, Lisa Wilson and William MacRae.

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 from the June 17th and 25th, 2026 Special and Regular Commission meetings

Suggested Motion:

I move to approve the minutes of the Regular and Special meetings held on

Minutes of the City Commission's July 23, 2026 Meeting

June 17th and 25th, 2026.

- B. Consider request for use of barricades to block traffic to the park oval for Indy Goes Back to School event on August 13, 2026.

Indy Goes Back to School is an annual event that is designed to instill excitement in parents and students about the start of the school year. The event is usually well attended. USD 446 also utilizes this event to make connections between parents and community organizations that support families and children. The event utilizes the entire Riverside Oval including the carousel, all covered and uncovered picnic tables/areas, Hille Bandshell, Interurban Shelter, and the School House. The event is Thursday, August 13, 2026, from 5:30 PM to 7:00 PM. Traffic to the oval will be restricted from 4:00 p.m. to 7:30 p.m.

Suggested Motion:

I move to approve the request to authorize the use of barricades to restrict traffic to the park oval on August 7, 2025 from 4:30 PM to 8:00 PM for the USD 446 Indy Goes Back to School event.

- C. Consider waiving the ordinance prohibiting food trucks in Riverside Park on October 3, 2026, for the ERS Jelly Jam.

The Eagle Rock Shredders are a local organization which focuses on providing mountain biking opportunities to the public in the Independence area. In addition to developing and maintaining numerous trails near Elk City State Park and the new Central Park Sports Complex entirely through fundraising and volunteer efforts, they have also brought an event to Independence called "The Jelly Roll", which is a mountain bike race held at Elk City State Park. To encourage participants to stay overnight in Independence, ERS holds an event the night before the race called the "Jelly Jam". The event includes a BMX bike show and swap, a freestyle competition, raffles, live music, and a group bike ride through the park and Central Park Sports Complex. As part of the Jelly Jam event, ERS would like to have food trucks available to visitors. The event is scheduled for October 3, 2026.

Suggested Motion:

I move to waive the ordinance prohibiting food trucks in Riverside Park on October 3, 2026 for the ERS Jelly Jam.

- D. Consider approving the submission of a Tenant Based Rental Assistance Grant to Kansas Housing Resources Corporation.

Minutes of the City Commission's July 23, 2026 Meeting

The Independence Housing Authority has annually submitted and been awarded a Tenant Based Rental Assistance Grant from the Kansas Housing Resources Corporation since 1998. The City of Independence was awarded \$100,000 for 2026. The Tenant Based Rental Assistance Grant is a program that assists low-income families with their monthly rent payments. Currently, the TBRA grant is assisting 46 families comprised of 46 adults and 31 children.

Suggested Motion:

I move to approve the submission of a Tenant Based Rental Assistance Grant to Kansas Housing Resources Corporation.

- E. Consider waiving fees and allowance of temporary sale signs for Kan-Okla 100-mile highway sale September 10 - 12, 2026.

Lisa Wilson, Chamber President, has presented a request for the City to Co-Sponsor with the Independence Chamber of Commerce Convention and Visitors Bureau of the 18th Annual KAN-OKLA 100-Mile Highway Sale and Independence City-Wide Rummage Sale, the waiving of sale permit fees, the allowance of temporary sale signs in the rights-of-way on Thursday, September 11th; Friday, September 12th; and Saturday, September 13th ONLY and permission to use the parking lot of 8th & Chestnut behind Ane Mae's Coffee and Sandwich House for a group site.

Suggested Motion:

I move to waive rummage sale permit fees, allow temporary sale signs in the rights-of-way, and allow use of the municipal parking lot at 8th and Chestnut on Thursday, September 11th; Friday, September 12th; and Saturday, September 13th ONLY for the 18th Annual KAN-OKLA 100-mile Highway Sale and City-Wide Rummage Sale.

- F. Consider a request from the Chamber of Commerce to enhance the pocket park at 19th and Poplar Streets.

The Independence Chamber of Commerce has requested approval to improve the City-owned pocket park at 19th and Poplar Streets. The Chamber's KCE Committee raised more than \$2,000 through the LOVE Independence T-shirt fundraiser and would like to reinvest those funds in the neighborhood.

Proposed improvements include replacement swings where needed, repainting the existing swing frames and basketball court lines, cleanup,

landscaping, and other beautification work.

The Chamber also hopes to encourage greater use of the park through activities such as youth sports events, community cookouts, sports-equipment giveaways, and volunteer workdays. The Chamber may work with Independence Community College, civic organizations, and other community volunteers on these activities.

Suggested Motion:

I move to approve the Independence Chamber of Commerce's request to use funds raised through the LOVE Independence T-shirt fundraiser for improvements and recreational activities at the pocket park located at 19th and Poplar Streets, with the work coordinated through City staff.

- G. Consider authorization to intervene in Evergy Kansas Central Predetermination Proceeding before the Kansas Corporation Commission.

Evergy Kansas Central is expected to file a predetermination application with the Kansas Corporation Commission as early as August 2026. The anticipated filing may seek approval to include approximately \$2 billion in new electric generation assets in Evergy's rate base. The filing may include a 910-megawatt natural gas generation facility, solar generation, and battery storage facilities.

The proceeding is expected to address Evergy's projected need for additional generation capacity, including increased demand associated with large-load data centers. The concern for existing Evergy customers is whether the costs attributable to new data-center loads will be fully assigned to those customers or whether any portion of those costs could be shifted to existing retail ratepayers.

The City participates in the Greenbush energy purchasing consortium. Greenbush's energy consultant, James P. Zakoura of Foulston Siefkin LLP, has requested authorization to file a petition to intervene on behalf of the City. The petition would identify the City as an existing Evergy customer that may be affected by the Kansas Corporation Commission's decision.

Intervention at this stage would preserve the City's right to receive filings, review Evergy's application, monitor the proceeding, and participate if the City's interests may be affected. It would not commit the City to support or oppose Evergy's application.

Mr. Zakoura has advised that there is no cost or financial obligation

associated with filing the initial petition to intervene. After reviewing Everygy's application, he would provide a proposed case strategy, budget, and allocation of costs for consideration. The City could then decide whether to participate further or decline additional involvement.

Suggested Motion:

I move to authorize James P. Zakoura of Foulston Siefkin LLP to file a petition to intervene on behalf of the City of Independence in the anticipated Everygy Kansas Central predetermination proceeding before the Kansas Corporation Commission, with no financial obligation or substantive position authorized at this time, and with any future expenditures or expanded participation subject to prior approval by the City Commission.

III. PUBLIC HEARINGS

- A. Public Hearing to consider the condemnation of 604 1/2 N. 17th Street as dangerous and unsafe.

On May 9, 2026, the structure located at 604 1/2 N. 17th Street sustained extensive fire damage that gutted the entire building. City staff recommended setting a public hearing for July 23, 2026, at 5:30 p.m., to consider whether the structure should be declared dangerous and unsafe and ordered condemned.

Following the scheduling of the public hearing, the property owner obtained a building permit to rehabilitate the structure, and initial work was reported to have begun. Staff also understood the owner was considering selling the property; however, there has been no further communication from the owner regarding the status of the rehabilitation or sale.

The Building Inspector provided the following update: *"There have been no changes. The notice remains posted on the door, and I have not observed anyone working at the property."*

If the owner fails to contact the Building Inspector and demonstrate progress toward rehabilitation prior to the July 23, 2026, public hearing, City staff will recommend that the structure be declared dangerous and unsafe and that condemnation proceedings move forward.

Motion:

On the motion of Tim White, seconded by Scott Smith, the Commission adjourned the Public Hearing for the condemnation of 624 1/2 N 17th Street until November 12, 2026, at 5:30 p.m.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

- B. Public Hearing to consider the 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 due to concerns regarding the condition of the primary structure, occupancy without active utility services, and related environmental issues. At a previous hearing, Lisa Drumeller reported that Indy Heat and Air was installing a new heating system. Additional planned improvements included clearing vegetation, removing exterior trash and debris, installing windows, and completing interior repairs and finishes. Lisa Drumeller has since provided the following update regarding the rehabilitation efforts:

- The utility room floor has been repaired.
- One bid has been received to relocate the electrical service panel and replace the electrical box that was stolen; however, additional bids are being obtained.
- Funding for the electrical work and exterior siding repairs was delayed because available funds were needed for repairs to other occupied rental properties.
- The owner's contractors have also experienced scheduling delays due to existing workloads.

The property owner has submitted a revised project timeline and updated photographs and is requesting additional time to complete the rehabilitation of the property. City staff recommends continuing the public hearing until November 12, 2026, at 5:30 p.m., to allow the owner 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 November 12, 2026, at 5:30 p.m.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

- C. Public Hearing to consider the condemnation of 1104 W. Chestnut Street as dangerous and unsafe.

The property located at 1104 W. Chestnut was previously reported to the City due to concerns regarding the condition of the primary structure and associated environmental hazards. Following an inspection, City staff determined that both structures located at 1100 and 1104 W. Chestnut were in significant disrepair, posed safety hazards, and did not have active utility services as of November 9, 2020.

The properties were subsequently purchased by Luis Aguiar, who submitted a proposed timeline for rehabilitation. According to the owner, work is actively progressing at 1100 W. Chestnut. The owner provided the following update:

"Good morning, David.

1104 Chestnut: We have cleared the property of all trash and debris, have evaluated the foundation, and are working on remediation.

1100 Chestnut: We have repaired the foundation and subfloors, installed new windows and doors, repaired the siding, reroofed the kitchen area, pressure washed the exterior, scraped the peeling paint, and repainted the exterior. I want to thank you and Maurice for your understanding and guidance as we continue improvements to both properties."

The City's Building Inspector reports that 1104 W. Chestnut has not had any rehabilitation work completed to date. Progress is occurring at 1100 W. Chestnut, although substantial work remains before the structure can be considered code-compliant.

Based on the progress at 1100 W. Chestnut and the owner's continued commitment to rehabilitate both properties, City staff recommends continuing the hearing for 1104 W. Chestnut to November 12, 2026, at 5:30 p.m., to allow the owner additional time to begin rehabilitation of that structure.

Motion:

On the motion of Tim White, seconded by Scott Smith, the Commission adjourned the Public Hearing for the condemnation of 1104 W. Chestnut until November 12, 2026, at 5:30 pm.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

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- D. 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. Following an investigation by the Independence Fire-EMS Department, the structure was determined to be in poor condition, uninhabitable, and unsafe.

The property has since been purchased by Karen Neely, who currently resides out of state but plans to retire and relocate to Independence. Ms. Neely has submitted a rehabilitation timeline, obtained the necessary building permit, and is actively renovating the residence to bring it into compliance with NSPIRE occupancy standards. Ms. Neely provided the following update regarding her rehabilitation efforts:

- **Removed and properly disposed of all accumulated hoarding materials and debris from the property.**
- **Replaced the roof after removing four existing layers of shingles.**
- **Reconstructed the front porch.**
- **Completed exterior painting of the structure.**
- **Repaired the fire-damaged north exterior wall and replaced the affected windows.**
- **Installed a new 200-amp electrical service panel.**
- **Anticipates completing the bathroom renovation within the next week.**

Ms. Neely also reported the following work remains in progress:

- **Floor leveling is pending scheduling with a contractor due to the contractor's current workload.**
- **Completion of the electrical wiring is pending. The electrician has requested additional time due to the summer heat; however, the owner indicated she will seek another contractor if necessary.**
- **Original hardwood flooring has been exposed in three rooms following the removal of carpet and adhesive and will be sanded, stained, and finished.**
- **Damaged flooring in another area will receive a new subfloor once the leveling work is complete.**
- **Following completion of the electrical work, the fire-damaged ceilings will be repaired with either drywall or shiplap.**
- **Interior painting will be completed as the final phase of the rehabilitation.**

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The owner has requested an additional six-month extension to complete the remaining rehabilitation work.

City staff recommends continuing the public hearing until November 12, 2026, to allow the owner additional time to complete the rehabilitation of the property.

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 November 12, 2026, at 5:30 p.m.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

IV. ITEMS FOR COMMISSION ACTION

- A. Consider adopting a resolution rescinding the condemnation action for 112 W. Oak Street.**

The structure at 112 W. Oak Street was in the 2025 Condemnation process and the owner sold the property. The new owner has completed the renovation of the structure and has passed the NSPIRE inspection completed by the Building Inspector.

Motion:

On the motion of Tim White, seconded by Scott Smith, the Commission adopted a resolution rescinding the condemnation of 112 W. Oak Street.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

- B. Consider adopting the City of Independence Strategic Plan 2026–2036.**

The City's previous Community-Based Strategic Plan covered 2018–2023 and was adopted by the City Commission in 2018. It was developed to guide City goal setting, budget priorities, programs, services, and measurement of progress.

In January 2026, the City Commission accepted the proposal from Vickrey Leadership Solutions and authorized a professional services agreement for development of a new Community-Based Strategic Plan. The agreement

established a project schedule supporting adoption of the plan by July 23, 2026.

The planning process included a community survey, stakeholder interviews, public engagement, City staff participation, strategic planning workshops, and City Commission review. The draft has been revised to incorporate feedback provided by each Commissioner.

The proposed plan establishes four strategic directives:

1. Economic Development & Growth
2. Neighborhood Revitalization & Housing
3. Infrastructure & Physical Assets
4. Community Excellence & Quality of Life

Each directive includes an overarching performance measure, five-year initiatives, ten-year initiatives, and measures for evaluating success. The attached text version contains the substantive planning content proposed for adoption.

Following adoption, the consultant will complete the final cover design and other formatting revisions. The final publication will also include an implementation roadmap and a recognition page thanking the residents, stakeholders, boards, staff members, and community partners who participated in the planning process. These additions will not materially change the strategic directives, initiatives, or performance measures adopted by the City Commission.

Motion:

On the motion of Scott Smith, seconded by Tim White, the Commission adopted the City of Independence Strategic Plan 2026–2036 as presented, with final design, formatting, and other non-substantive revisions to be completed before publication.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

- C. Consider rescheduling or canceling the October 8, 2026 City Commission meeting.

Due to a scheduling conflict with the start of the League of Kansas Municipalities Annual Conference, it is recommended that the October 8, 2026 meeting be rescheduled or canceled. Currently, no items are scheduled for the October 8, 2026 meeting. The Commission can modify the date and/or time or cancel the meeting.

Minutes of the City Commission's July 23, 2026 Meeting

If the Commission is not planning to participate in any of the League events that morning, the meeting could be rescheduled to the originally planned day of Thursday, October 8, 2026, at 9 AM rather than 5:30 PM. If the Commission wishes to participate in some of the additional LKM activities that morning, the meeting can either be moved to a different date or canceled.

The Commission room is currently booked for the Planning Commission on the evening of Tuesday, October 6th, and for Municipal Court all day on Wednesday, October 7th.

Motion:

On the motion of Tim White, seconded by Scott Smith, the Commission canceled the October 8, 2026 City Commission meeting.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

- D. Consider awarding the 2026 Street Marking project to Traffic Management, KS, LLC.

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. Three bids were received on June 11, 2026. The low bid was significantly less than the second bid, but contact with the City of Salina indicated the work being performed by the company in Salina was satisfactory and when questioned Traffic Management KS noted that their bid was based on their usual techniques and was not concerned about the price disparity.

Vendor	Total Bid
RoadSafe Traffic Systems	\$129,131.12
Traffic Management KS	\$66,106.00
Heartland Traffic Services	\$154,548.80

Motion:

On the motion of Scott Smith, seconded by Tim White, the Commission awarded the 2026 Street Marking project to Traffic Management, KS, LLC. In the unit-price amount of \$66,106.00.

Minutes of the City Commission's July 23, 2026 Meeting

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

V. REPORTS

A. Public Works and Projects Report

Engineer Garris presented the report.

B. City Board Minutes

**1. June 11, 2026 Independence Historical Preservation and Resource
Commission Minutes**

2. June 29th 2026 Independence Recreation Commission Minutes

C. Appropriations

VI. DISCUSSION

A. Discuss future funding opportunities to implement the goals and objectives of the Community-Based Strategic Plan.

City Manager Passauer and the Commission discussed renewing the existing sales taxes and presenting those to the voters.

VII. CITY MANAGER'S COMMENTS

City Manager Passauer reminded the Commission of upcoming meetings, the Fire Department will have a push in ceremony on August 15th at 6:30 pm and Independence residents received three of the four MCAC Awards.

VIII. COMMISSIONERS' COMMENTS

None.

IX. PUBLIC CONCERNS

Mike Gilstrap questioned why Taylor Road is posted with no trucks allowed over 12,000 pounds, and can it be recinded.

Minutes of the City Commission's July 23, 2026 Meeting

X. EXECUTIVE SESSION

A. Personnel matters of non-elected personnel.

Motion:

On the motion of Dean Hayse, seconded by Scott Smith, the Commission recessed for an executive session for discussion of an employee's performance pursuant to the non-elected personnel exception, KSA 75-4319(b)(1). The open meeting will resume at 7:05 p.m. .

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

The open meeting resumed at 7:05 p.m. with no action taken.

XI. 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

Dean A. Hayse, Mayor

W. Scott Smith, Commissioner

Tim White, Commissioner

Minutes of the City Commission's July 23, 2026 Meeting

Attest:

City Clerk/Treasurer

Minutes of the City Commission's August 10, 2026 Meeting

I. SPECIAL 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; David Schwenker, City Clerk/City Treasurer; and Lacey Lies, Finance Director.

Visitors Present: Garth Herrmann by phone

A. Call to Order

Mayor Hayse called the meeting to order.

II. ITEMS FOR DISCUSSION

A. Discussion on funding alternatives for the Community-Based Strategic Plan.

Garth Herrmann of Gilmore and Bell presented the alternatives.

III. ADJOURNMENT

Motion:

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

Aye: Dean Hayse, Tim White

Nay: None

Absent: Scott Smith

Minutes of the City Commission's August 10, 2026 Meeting

Dean A. Hayse, Mayor

W. Scott Smith, Commissioner

Tim White, Commissioner

Attest:

City Clerk/Treasurer

Minutes of the City Commission's August 13, 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; Luke Bass, City Attorney; David Schwenker, City Clerk/City Treasurer; John Garris, City Engineer/Director of Public Works; Jimmy Holt, Assistant Police Chief; Dustin Stafford, Chief of Police; Joseph Mueller, Police Officer; Scott Patton, Park and Zoo Director; Matthew Wright, Police Officer; and April Nutt, Director of Housing Authority.

Visitors Present: Larry McHugh, Breanna Sanford and Garth Herrmann.

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.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

D. Public Service Announcement

Assistant City Manager Cowan warned citizens about the dangerous heat and that City Hall would be open as a cooling station.

II. PRESENTATIONS

A. Introduction and swearing-in of Independence Police Department's newest Officer, Joseph Mueller.

Joseph Mueller has been selected to serve the citizens of Independence as a Police Officer. Joseph "Joe" Mueller has dedicated more than 30 years to

Minutes of the City Commission's August 13, 2026 Meeting

emergency services, serving both as a volunteer and, for the past six years, as a full-time law enforcement officer. Joe joins the Independence Police Department as a certified law enforcement officer and a graduate of the Kansas Law Enforcement Training Center (KLETC). He served approximately three years as a deputy with the Elk County Sheriff's Department before joining the Caney Police Department in January 2023, where he served until accepting a position with our department. In addition to his law enforcement experience, Joe is also a certified EMT-B.

Joe is a proud husband, father of four children, and grandfather of eight grandchildren. He is excited for the opportunity to serve the City of Independence and looks forward to becoming part of the community.

III. 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 from the July 9th and 15th, 2026 Special and Regular Commission meetings

Suggested Motion:

I move to approve the minutes of the Regular and Special meetings held on July 9th and 15th, 2026.

- B. Consider entering into an agreement with the State of Kansas Setoff Program

The Kansas State Setoff Program recently updated all their contracts with different entities throughout the State. The City currently has outstanding debts with different individuals who have been previously submitted for collections in prior years. The agreements are a continuation of those services for Water, Court and Ambulance debts.

Suggested Motion:

I move to approve the agreements with the State of Kansas Setoff Program.

- C. Consider approving a Civil Rights and Fair Housing Policy.

The City of Independence must adopt and maintain a Civil Rights and Fair Housing Policy as a condition of eligibility to receive and administer Community Development Block Grant (CDBG) funds. Federal law requires all CDBG entitlement and non-entitlement communities to affirmatively further fair housing and ensure that housing and community development programs are administered without discrimination based on race, color, national origin, religion, sex (including gender identity and sexual orientation), familial status, or disability, as well as other protected classes under applicable federal and state law. By adopting this policy, the City demonstrates its commitment to providing equal access to housing opportunities, promoting inclusive neighborhoods, preventing discriminatory practices, and complying with the requirements of the U.S. Department of Housing and Urban Development (HUD). Adoption of the policy not only fulfills a federal grant requirement but also reinforces the City's commitment to fair, equitable, and accessible housing and community development opportunities for all residents.

Suggested Motion:

I move to approve the City of Independence adopting a Civil Rights and Fair Housing Policy.

- D. Consider a request from the Independence Library to approve the closure of the 100 block of South 5th and the 200 block of Maple Street on September 19, 2026, from 9:30 am to 1:30 PM for their annual Rock the Block.

The Independence Public Library is requesting authorization to close the 100 block of South 5th Street, from the alley through the intersection of 5th Street and Maple Street, as well as Maple Street west to the alley near the AT&T office. The closure is requested for the annual Rock the Block celebration on Saturday, September 19, 2026, from 9:30 a.m. to 1:30 p.m.

Suggested Motion:

I move to close the 100 block of South 5th Street from the alley into the Intersection of 5th and Maple and West on Maple to the alley by the AT&T office on Saturday, September 19, 2026, from 9:30 am to 1:30 pm.

- E. Consider authorizing blocking certain streets within Riverside Park during the 19th annual Yona Strong 5K Run.

The Yona Strong 5K Run is an annual event held at Riverside Park in memory of Yona Julian, who was a well-known member of the Independence Community. This will be the event's 19th year. The streets that are

Minutes of the City Commission's August 13, 2026 Meeting

requested to be blocked are identified in the attached map which illustrates the locations to place barricades. A police officer has been requested to be on site during the run this year to ensure that vehicles do not drive around barricades, which are usually manned by volunteers.

Suggested Motion:

I move to authorize blocking certain streets within Riverside Park on September 19, 2026 from 7:30 A.M. to 11:00 A.M. during the 19th Annual Yona Strong 5K Run.

- F. Consider accepting a donation of alley pavement on the alley running between Walnut and Magnolia Streets between 5th and 6th Streets.

Mr. Robert Miller has offered to donate 4" of asphalt paving on the alley running between Walnut and Magnolia Streets between 5th and 6th Streets. A sketch of the area is shown in the attached drawing.

Mr. Miller has contacted Jeff Hull's Paving and Seal Coating and received an estimate of approximately \$14,000 to grade the alley, add AB3 gravel where needed, compact the subgrade, and then apply asphalt pavement to a depth of between three and four inches and compact the pavement.



After contacting the City of Sedan, their reference indicates that the quality of work and the quality of materials used by Jeff Hull's Paving and Seal Coating appears to be acceptable.

Suggested Motion:

I move to accept a donation of paving in the indicated alley from Mr. Miller and waive any permit fees.

- G. Consider accepting a change order for natural gas piping at Memorial Hall.

Atmos has informed the City that the natural gas piping configuration at Memorial Hall does not conform to their current specifications, and must be changed. Currently, the natural gas enters Memorial Hall below grade. The code was changed to not allow this connection type, as below-grade leaks external to the building could potentially travel through the penetration and become an explosion or suffocation hazard within the structure.

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Our contractor working on the mechanical and electrical changes at Memorial Hall, BCI Mechanical, Inc., has prepared a change order under the direction of Andy Hess from LSA. It is attached, and is in the amount of \$8,500 to make the necessary modifications to meet current natural gas specifications.

Suggested Motion:

I move to accept the change order from BCI Mechanical, Inc. in the amount of \$8,500 and for the execution of any necessary documents required by this change.

IV. ITEMS FOR COMMISSION ACTION

- A. Consider setting the date of October 22, 2026, at 5:30 PM for a Public Hearing to consider the condemnation of 415 S. 2nd Street as dangerous and unsafe.

The structure at 415 S. 2nd Street has been reported to the City as being in a deteriorated condition and without utility service since 6/26/2020. City Staff recommends setting October 22, 2026, as the date of a Public Hearing to consider condemnation for being dangerous and unsafe.

Motion:

On the motion of Tim White, seconded by Scott Smith, the Commission adopted a resolution scheduling a Public Hearing on October 22, 2026, at 5:30 PM to consider the condemnation of 415 S. 2nd Street as dangerous and unsafe.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

- B. Consider setting the date of October 22, 2026, at 5:30 PM for a Public Hearing to consider the condemnation of 508 S. 17th Street as dangerous and unsafe.

The structure at 508 S. 17th Street has been reported to the City as being in a deteriorated condition and without utility service since 8/31/2020. City Staff recommends setting October 22, 2026, as the date of a Public Hearing to consider condemnation for being dangerous and unsafe.

Motion:

On the motion of Scott Smith, seconded by Tim White, the Commission adopted a resolution scheduling a Public Hearing on October 22, 2026, at

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5:30 PM to consider the condemnation of 508 S. 17th Street as dangerous and unsafe.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

- C. Consider setting the date of October 22, 2026, at 5:30 PM for a Public Hearing to consider the condemnation of 618 S. 15th Street as dangerous and unsafe.

The structure at 618 S. 15th Street has been reported to the City as being in a deteriorated condition and without utility service since 10/31/2020. City Staff recommends setting October 22, 2026, as the date of a Public Hearing to consider condemnation for being dangerous and unsafe.

Motion:

On the motion of Tim White, seconded by Scott Smith, the Commission adopted a resolution scheduling a Public Hearing on October 22, 2026, at 5:30 PM to consider the condemnation of 618 S. 15th Street as dangerous and unsafe.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

- D. Consider setting the date of October 22, 2026, at 5:30 PM for a Public Hearing to consider the condemnation of 713 N. 12th Street as dangerous and unsafe.

The structure at 713 N. 12th Street has been reported to the City as being in a deteriorated condition and without utility service since 8/15/2020. City Staff recommends setting October 22, 2026, as the date of a Public Hearing to consider condemnation for being dangerous and unsafe.

Motion:

On the motion of Scott Smith, seconded by Tim White, the Commission adopted a resolution scheduling a Public Hearing on October 22, 2026, at 5:30 PM to consider the condemnation of 713 N.12th Street as dangerous and unsafe.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

- E. Consider setting the date of October 22, 2026, at 5:30 PM for a Public Hearing to consider the condemnation of 725 S. 16th Street as dangerous and unsafe.

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The structure at 725 S. 16th Street has been reported to the City as being in a deteriorated condition and without utility service since 1/31/2020. City Staff recommends setting October 22, 2026, as the date of a Public Hearing to consider condemnation for being dangerous and unsafe.

Motion:

On the motion of Tim White, seconded by Scott Smith, the Commission adopted a resolution scheduling a Public Hearing on October 22, 2026, at 5:30 PM to consider the condemnation of 725 S. 16th Street as dangerous and unsafe.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

- F. Consider setting the date of October 22, 2026, at 5:30 PM for a Public Hearing to consider the condemnation of 804 W. Locust Street as dangerous and unsafe.

The structure at 804 W. Locust Street has been reported to the City as being in a deteriorated condition and without utility service since 9/11/2020. City Staff recommends setting October 22, 2026, as the date of a Public Hearing to consider condemnation for being dangerous and unsafe.

Motion:

On the motion of Scott Smith, seconded by Tim White, the Commission adopted a resolution scheduling a Public Hearing on October 22, 2026, at 5:30 PM to consider the condemnation of 804 W. Locust Street as dangerous and unsafe.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

- G. Consider setting the date of October 22, 2026, at 5:30 PM for a Public Hearing to consider the condemnation of 805 S. 17th Street as dangerous and unsafe.

The structure at 805 S. 17th Street has been reported to the City as being in a deteriorated condition and without utility service since 2/29/2020. City Staff recommends setting October 22, 2026, as the date of a Public Hearing to consider condemnation for being dangerous and unsafe.

Motion:

On the motion of Tim White, seconded by Scott Smith, the Commission adopted a resolution scheduling a Public Hearing on October 22, 2026, at

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5:30 PM to consider the condemnation of 805 S. 17th Street as dangerous and unsafe.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

- H. Consider setting the date of October 22, 2026, at 5:30 PM for a Public Hearing to consider the condemnation of 829 S 4th Street as dangerous and unsafe.

The structure at 829 S 4th Street has been reported to the City as being in a deteriorated condition and without utility service since 04/05/2021. City Staff recommends setting October 22, 2026, as the date of a Public Hearing to consider condemnation for being dangerous and unsafe.

Motion:

On the motion of Scott Smith, seconded by Tim White, the Commission adopted a resolution scheduling a Public Hearing on October 22, 2026, at 5:30 PM to consider the condemnation of 829 S. 4th Street as dangerous and unsafe.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

- I. Consider setting the date of October 22, 2026, at 5:30 PM for a Public Hearing to consider the condemnation of 915 E. Walnut Street as dangerous and unsafe.

The structure at 915 E. Walnut Street has been reported to the City as being in a deteriorated condition and without utility service since 10/1/2025. City Staff recommends setting October 22, 2026, as the date for a Public Hearing to consider condemnation as dangerous and unsafe.

Motion:

On the motion of Tim White, seconded by Scott Smith, the Commission adopted a resolution scheduling a Public Hearing on October 22, 2026, at 5:30 PM to consider the condemnation of 915 E. Walnut Street as dangerous and unsafe.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

- J. Consider setting the date of October 22, 2026, at 5:30 PM for a Public Hearing to consider the condemnation of 2105 W. Laurel Street as dangerous and unsafe.

The structure at 2105 W. Laurel Street has been reported to the City as being in a deteriorated condition and without utility service since 02/25/2021. City Staff recommends setting October 22, 2026, as the date of a Public Hearing to consider condemnation for being dangerous and unsafe.

Motion:

On the motion of Scott Smith, seconded by Tim White, the Commission adopted a resolution scheduling a Public Hearing on October 22, 2026, at 5:30 PM to consider the condemnation of 2105 W. Laurel Street as dangerous and unsafe.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

- K. Consider awarding the design and installation of a vehicle service pit at the Public Works facility.**

The City of Independence operates and maintains a fleet of municipal vehicles that require routine service and preventative maintenance. To improve efficiency and technician safety, staff recommends installation of a chair-depth vehicle service pit at the Public Works maintenance facility.

The project includes construction of a sealed, reinforced concrete service pit approximately 17 to 21 feet long, approximately 40 inches wide, and approximately 4 feet deep, with an aluminum trade-bright pit liner. The pit will include a chair track system with technician chair, a filter storage system with built-in sliding racks, and an integrated drain pan system for fluid collection. The service pit will also include a removable aluminum cover for safety when the pit is not in use, along with safety features such as non-slip surfaces and adequate lighting.

The City publicly opened the single bid received for this work on July 16. The bid was responsive, and was in the total lump sum amount of \$101,850.00 from Decker Construction, Inc. (Decker). The bid excluded utilities under the existing facility where the pit would be placed. There are no known utilities in that area.

The Engineer's Estimate for the work was \$80,000 +/-20%, so this is close to the upper end of that range.

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Decker has worked with the City on multiple projects and has provided suitable work that meets specifications and schedule expectations on each occasion.

Motion:

On the motion of Scott Smith, seconded by Tim White, the Commission awarded design and installation of a vehicle service pit at the Public Works maintenance facility to Decker Construction, Inc., in the lump sum amount of \$101,850.00.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

- L. Consider awarding the bid for installation of new electrical service at the Ralph Mitchell Zoo Duck Pond.**

The existing underground electrical service at the historic Duck Pond exhibit at Ralph Mitchell Zoo is extremely old and failed in late 2025. After assessing the condition of the existing service, it was determined that a new electrical service would be required to restore normal operations at the exhibit. The primary purpose of the electrical service is to operate the aerator fountain, which is essential for maintaining water quality at a level that protects the health of the waterfowl housed in the exhibit. Since the existing electrical service failed, there has been a noticeable increase in cases of bumblefoot among the zoo's waterfowl. Bumblefoot is a bacterial infection affecting the feet of waterfowl and is commonly caused by birds roosting in stagnant or contaminated water.

The project will require Every to install a new utility pole and transformer on the west side of the zoo near the west entrance. New electrical service will be run overhead from N. 5th Street to the new pole, then underground from the pole to three 120-amp outlets located at the Duck Pond (northwest corner, northeast corner, and south center). New electrical service and a new breaker panel will also be installed for the Emu/Muntjac exhibit, as disconnecting the existing electrical service would otherwise leave that building without power.

A Request for Proposals (RFP) was advertised on the City's website on June 30, with proposals due by July 30. The city received four proposals from electrical contractors, two of which conducted on-site walkthroughs with the Zoo Director and submitted complete proposals as outlined in the RFP.

CMC Industrial Services, Inc. - \$33,549 (includes all additional costs from

Evergy)

Blankinship Electrical, LLC - \$35,522.00 (includes all additional costs from Evergy)

The RFP established cost, experience with similar projects, compliance with specifications, and project timeline as the criteria for evaluating proposals. Accordingly, selection is based on the overall proposal and is not determined by price alone. The RFP further reserves the City's right to accept the proposal deemed to be in the City's best interest.

After reviewing the responsive proposals, staff recommends Blankinship Electrical, LLC for the project. Although Blankinship's proposal is \$1,973 higher than the lowest-cost proposal, staff determined that Blankinship provides the best overall value to the City based on the evaluation criteria established in the RFP. Blankinship demonstrated an understanding of the existing site conditions and Evergy coordination through its on-site review and submitted a proposal responsive to the City's project requirements. As an established Independence contractor, Blankinship's local presence also provides greater accessibility for coordination during construction and timely follow-up service if needed. The recommendation is also consistent with the City's Purchasing Policy, which provides preference to local businesses and establishes businesses located within the corporate limits of Independence as the first geographical priority. The policy further provides that goods and services should be purchased from local merchants and businesses when the applicable requirements are satisfied.

Motion:

On the motion of Tim White, seconded by Scott Smith, the Commission awarded the Riverside Park Zoo Duck Pond Electrical Service Installation project to Blankinship Electrical, LLC, in an amount not to exceed \$35,522 and authorized city staff to execute the necessary contract documents.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

- M. Consider approving a Downtown Independence Building Grant for 205 North Penn Avenue.

James Shannon, owner of 207 North Penn, has submitted an application for grant assistance for a full roof replacement. The building currently has a significant breach in the roof that has resulted in damage to both the first and second floors. The condition of the roof is also contributing to damage to the adjacent building to the north.

Mr. Shannon has secured financing to cover the remaining cost of the roof replacement beyond the requested grant assistance. Due to the current condition of the roof, the property is presently uninsurable. Upon completion of the roof replacement, the building will be eligible for insurance coverage.

Mr. Shannon understands and acknowledges that grant funds will not be disbursed until the roof replacement is complete and documentation is provided confirming that insurance coverage on the property has been reinstated.

Motion:

On the motion of Scott Smith, seconded by Tim White, the Commission approved a Downtown Independence Building Grant for 205 North Penn.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

- N. Consider adopting revisions to the City of Independence Community-Based Strategic Plan 2026–2036 and authorizing publication of the final plan.**

On July 23, 2026, the City Commission adopted the City of Independence Community-Based Strategic Plan 2026–2036 as presented, with final design, formatting, and other non-substantive revisions authorized prior to publication. The text adopted by the Commission established four strategic directives and included the substantive initiatives, performance measures, and long-term priorities of the plan.

Following adoption, the consultant completed the final graphic design and formatting of the plan. During that process, staff identified two initiatives within Strategic Directive #2, Neighborhood Revitalization & Housing, where clarification was needed to more accurately identify the responsible entities and the City’s anticipated role. The July 23 version adopted by the Commission contained the following language:

Original:

Complete planning and development of the Jefferson Subdivision.

Revised:

Complete planning and development of the Jefferson Subdivision by the Housing Authority.

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Original:

Partner with Trident Homes to construct approximately 40 3D-printed homes on infill lots that provide attainable housing opportunities.

Revised:

Landbank to partner with Trident Homes to provide vacant lots as available to construct approximately 40 3D-printed homes on infill lots that provide attainable housing opportunities.

The revised Jefferson Subdivision language clarifies that the Housing Authority is responsible for planning and development of the subdivision. The revised Trident Homes language clarifies that the Landbank's anticipated role is to make vacant lots available, as appropriate, for construction of approximately 40 3D-printed homes rather than implying that the City or Landbank would be responsible for constructing the homes.

Because the July 23 action authorized only design, formatting, and other non-substantive revisions following adoption, staff is bringing these clarifications back to the City Commission for formal approval before the final plan is published. The completed graphic version incorporates these revisions and otherwise reflects the strategic direction previously adopted by the Commission.

Motion:

On the motion of Tim White, seconded by Scott Smith, the Commission adopted the revisions to the City of Independence Community-Based Strategic Plan 2026–2036 as presented and authorized publication of the final plan.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

- O. Consider adoption of two resolutions calling special question elections to replace and renew existing Citywide retailers' sales taxes.**

The two proposed sales tax measures would not increase the City's overall sales tax rate. The proposed one percent (1%) general purpose sales tax would replace the existing Educational Sales Tax beginning in October 2028, but only after the USD 446 bond obligations have been fully satisfied and the existing Educational Sales Tax is repealed. Although the Educational Sales Tax is collected by the City, the revenue is currently remitted to USD 446 for payment of the school bond obligations and is not available for general City purposes. Replacing that tax with a general purpose sales tax would provide the City with a flexible revenue source for lawful governmental purposes and

could help reduce the City's reliance on property taxes. Reducing property tax pressure was expressed frequently during the Community-Based Strategic Plan process, along with continued investment in infrastructure, housing and neighborhood revitalization, economic development, public safety, and community facilities. The proposed sales tax structure is intended to help the City respond to those community priorities and provide a funding framework to carry them forward.

The proposed one percent (1%) special purpose sales tax would renew the existing special purpose sales tax beginning in October 2032. The City also currently has a separate one percent (1%) general purpose sales tax that is permanent and is not part of either ballot question.

The two propositions have different purposes. The proposed general purpose sales tax would provide a flexible revenue source for mill levy support and fiscal stabilization, City operations and services, personnel, debt and contractual obligations, infrastructure and capital needs, public safety, economic and community development, housing and neighborhood initiatives, parks and recreation, and other lawful governmental purposes. The proposed special purpose sales tax would dedicate revenues according to voter-approved allocations for mill levy support and fiscal stabilization, infrastructure and floodwater mitigation, economic development and neighborhood revitalization, public safety, and community and quality-of-life facilities.

The timing of these elections is intended to give the City and the community long-term financial certainty. The proposed revenue structure also provides a potential funding framework for priorities identified through the Community-Based Strategic Plan, which was developed through community surveys, stakeholder engagement, focus groups, and other public input. The Strategic Plan establishes the community's priorities, while future budgets and City Commission actions will determine the timing and funding of individual projects.

Long-term revenue certainty is also important because many state and federal grant programs require local matching funds or evidence of local financial commitment, and major projects often require several years of planning, engineering, coordination, and funding development before construction can begin. Current projects such as the Transportation Alternatives sidewalk project, 10th Street CCLIP reconstruction, Runway 4/22 improvements, and Safe Streets for All demonstrate the significant outside funding the City can leverage when local resources are available. Many of these current projects, as well as recent major projects such as Phases I and II

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of Central Park, would not have been possible without the existing special purpose sales tax. Renewal of that tax, together with the proposed general purpose sales tax, would provide a predictable source of future revenue that could be used for local matching requirements and other eligible costs associated with future projects and grant opportunities that provide long-term community benefit.

Motion:

On the motion of Scott Smith, seconded by Tim White, the Commission adopted Resolution No. 2026-104, calling a special question election on November 3, 2026, to submit to the qualified electors of the City the question of replacing the existing one percent Educational Sales Tax with a one percent general purpose Citywide retailers' sales tax following payment of the USD 446 bond obligations.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

Motion:

On the motion of Tim White, seconded by Scott Smith, the Commission adopted Resolution No. 2026-105, calling a special question election on November 3, 2026, to submit to the qualified electors of the City the question of renewing the existing one percent special purpose Citywide retailers' sales tax for an additional ten-year period.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

V. REPORTS

A. City Board Minutes

1. June 2, 2026 Planning Commission/Board of Zoning Appeals Minutes
2. July 15th 2026 Independence Recreation Commission Minutes

B. Appropriations

VI. CITY MANAGER'S COMMENTS

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A. Vacancy on EDAB Board

The City is currently accepting applications for a vacancy on the Economic Development Advisory Board following Keith Stone's resignation. Applications are due by 12:00 p.m. on August 18, 2026. The Mayor's recommended appointment is expected to be presented for confirmation at the August 27, 2026 meeting.

City Manager Passauer reminded everyone of the upcoming Commission meetings. August 15th will be the Push In Ceremony at the Fire Department for their new pumper truck and she wanted to remind everyone that the City does not own the professional building.

Director of Housing Authority Nutt wanted to clarify that she did not give permission for neighbors to take flowers from a house on Washington Street that is in the condemnation process. Selective demolition is still in process at 811 W. Laurel with renovations set to begin in November, the Professional Building at 201 N Penn is still in the process of finalizing the loan with USDA, and they plan to submit final plans to the City in September, Trident Building Partnership's building in the 100 block of East main should be finished by mid September, A 3D printed home is scheduled to be built at 401 N 10th this will be a model home and five spec. homes will be built on the lots behind Wal-Mart and the Housing Authority was selected as a finalist for the KHRC - "Show off your project" with a \$2,000 prize for the winner.

VII. COMMISSIONERS' COMMENTS

Mayor Hayse wanted to remind everyone that school is about to start and to slow down in school zones.

VIII. PUBLIC CONCERNS

None

IX. DISCUSSION

None.

X. ADJOURNMENT

Motion:

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

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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

Minutes of the City Commission's August 19, 2026 Meeting

I. SPECIAL 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; David Schwenker, City Clerk/City Treasurer; and Lacey Lies, Finance Director.

Visitors Present: None

A. Call to Order

Mayor Hayse called the meeting to order.

II. DISCUSSION

A. Budget Worksession.

The Commission reviewed the proposed 2027 budget, with the main focus on levied funds and maintaining a flat overall mill rate. The proposed mill rate is 53.795, which is slightly lower than the current rate of 53.799, but still above the state calculated revenue neutral rate of 52.269 mills. Staff emphasized that keeping the mill rate flat does not mean city costs are flat, especially as operating costs, fuel, insurance, utilities, repair costs, and payroll expenses continue to rise.

The proposed 2027 budget would levy property taxes only in the General Fund, Library Fund, and Liability Insurance Fund. The Industrial Fund levy would be eliminated, and certain economic development expenses, including Montgomery County Action Council and Chamber of Commerce contributions, would instead be paid from the Economic Development Fund. Library funding remains at the ordinance limited 4 mills, while liability insurance is proposed to remain close to 1 mill.

Staff explained that assessed valuation increased from approximately \$72.3 million to \$74.4 million, producing about \$113,000 in additional property tax revenue. However, that increase does not fully offset rising costs. To hold the mill rate flat, staff reduced or deferred several budget items, including requested personnel additions, merit increases, repair and maintenance budgets, training, meeting expenses, cemetery wall repairs, street maintenance items, and certain general fund costs. Some expenses were

shifted to other funds or to users of services, including credit card processing fees and economic development software.

Personnel costs were a major discussion point. The proposed budget includes a 3 percent cost of living adjustment and a 1 percent merit increase, rather than the originally requested 3 percent merit increase. The total payroll increase is estimated at approximately \$357,000. Staff noted that even the 3 percent cost of living adjustment does not fully keep up with inflation, and entry level wages remain difficult to compete with compared to some nearby employers and local governments.

Commissioners discussed the broader long term challenge of maintaining services with a declining population, rising costs, and limited revenue growth. There was interest in future planning around what city operations would look like with a smaller population and how the City might adjust costs accordingly.

General Fund revenues were also reviewed. Major revenue sources include property taxes, the 1 percent general sales tax, special use sales tax transfers, water and sewer support transfers, charges for services, franchise fees, motor vehicle taxes, interest income, licenses and permits, and a proposed use of historic tax credit proceeds to stabilize cash balances. Staff noted that passage of the upcoming sales tax questions would significantly help reduce pressure on property taxes and provide support for operations, maintenance, and future needs.

The Commission also discussed deferred maintenance and the risk that delaying repairs may increase future costs. Staff emphasized that, while the proposed budget does not eliminate major services, the level or frequency of some services will inevitably be reduced when operating costs increase faster than the dollars budgeted to provide them. A flat budget does not preserve the same purchasing power. For example, if the amount budgeted for diesel remains unchanged while the price of diesel increases substantially, the City must either use less fuel, reduce activity, or absorb the increase by cutting elsewhere. The same dynamic applies to maintenance, utilities, materials, contracted services, and other operating costs. As a result, some service-level reductions may occur even when a service itself remains in place. Many of the tools used to balance the 2027 budget are also not repeatable indefinitely. If recurring costs continue to outpace recurring revenues, future decisions will increasingly involve staffing, infrastructure, service levels, or additional revenue sources.

Several follow up items were identified for the next meeting, including average salary information, fleet value or insured value, updated Economic

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Development Fund details, enterprise fund information, sanitation rate impacts, capital items, and finalized budget hearing documents. Staff also noted that the debt service presentation may be adjusted to avoid overstating temporary note proceeds that do not actually pass through the City's bank account.

The meeting concluded with appreciation for staff's diligence and careful work on a difficult budget.

III. 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

Dean A. Hayse, Mayor

W. Scott Smith, Commissioner

Tim White, Commissioner

Attest:

City Clerk/Treasurer

Minutes of the City Commission's August 24, 2026 Meeting

I. SPECIAL 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; David Schwenker, City Clerk/City Treasurer; and Lacey Lies, Finance Director.

Visitors Present: Luis Ysusi and Mr. Mayes

A. Call to Order

Mayor Hayse called the meeting to order.

II. ITEMS FOR DISCUSSION

A. Budget Worksession.

Finance Director Lies led the discussion.

III. ITEMS FOR COMMISSION ACTION

A. Consider setting the date of the following public hearings for September 10, 2026 at 5:30 PM:

1. Public Hearing to Exceed the Revenue Neutral Rate
2. Public Hearing to Adopt the 2027 Budget

Although technically not required to set these hearings by motion, for transparency purposes, it is recommended that the dates for the following public hearings be set for September 10, 2026 at 5:30 PM:

1. To Exceed the Revenue Neutral Rate
2. To Adopt the 2027 Budget

It should be noted that the notices of the public hearings, as required per State statute, have already been sent to property owners.

Motion:

On the motion of Scott Smith, seconded by Tim White, the Commission set the date of September 10, 2026 at 5:30 PM for a public hearing to consider

Minutes of the City Commission's August 24, 2026 Meeting

exceeding the Revenue Neutral Rate.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

Motion:

On the motion of Tim White, seconded by Scott Smith, the Commission set the date of September 10, 2026 at 5:30 PM for a public hearing to consider adopting the 2027 Budget.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

IV. 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

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Attest:

City Clerk/Treasurer



REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
September 10, 2026

Department City Clerk

Director Approval David Schwenker

AGENDA ITEM Consider approving the amended minutes from the June 17th, 2026 and July 15th, 2026 Special Commission Meetings to include the discussion of the Revenue Neutral Rate.

SUMMARY RECOMMENDATION Approve the amended minutes to include the discussion and direction that occurred during the Special Commission Meetings regarding the Revenue Neutral Rate.

BACKGROUND

FINANCIAL INFORMATION

SUGGESTED MOTION I move to approve the amended minutes from the June 17th, 2026 and July 15th, 2026 Special Commission Meetings to include the Revenue Neutral Rate discussion.

SUPPORTING DOCUMENTS

1. June 17, 2026 Special City Commission Meeting Minutes - Amended
2. July 15, 2026 Special Commission Meeting Minutes - Amended

Minutes of the City Commission's June 17, 2026 Meeting

I. SPECIAL 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 by phone; David Schwenker, City Clerk/City Treasurer; April Nutt, Director of Housing Authority; John Garris, City Engineer/Director of Public Works; Katelyn Spencer, Intern; Jonathan Serrano-Renteria, Intern; Violet Robins, Intern; Harlan Bagley, Intern; and Lacey Lies, Finance Director.

Visitors Present: Mackey Smith by phone.

A. Call to Order

Mayor Hayse called the meeting to order.

II. 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 9:30 a.m. in the Commission Room of City Hall.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

The meeting resumed at 9:30 a.m. with action taken.

III. ITEMS FOR COMMISSION ACTION

A. Consider authorizing payment of a claim for exploratory expenses related to a meter calibration and utility billing software setting issue for the water account at 811 W. Laurel Street.

The City previously reviewed a utility billing matter involving the water

account at 811 W. Laurel Street. When the meter was originally installed while the City still owned the building, it was calibrated to an incorrect scale, causing water usage to be billed at one-tenth of the actual usage. After the error was identified, the Utility Billing Clerk corrected the billing issue by adding a ten-times multiplier in the utility billing software.

At some later point, the meter software was updated by the meter company, Zenner, which corrected the scale in the meter itself. City staff was not aware that the meter scale had been corrected and the ten-times multiplier remained in the City's utility billing software. Because the City owned the building at the time and no water usage bill was generated, the issue was not identified before the property was sold.

The problem was discovered several months after the building was sold, when the new property owner began receiving water bills that were much higher than anticipated usage. Before the billing software issue was confirmed, the property owner and representatives undertook exploratory efforts to determine whether a significant water leak existed on the property. Those efforts included contractor work, hydrovac excavation, staff time, travel, mileage, and related expenses.

After the building owner was unable to identify a significant leak, the meter was tested by Zenner to determine whether it was accurately recording water usage. The meter test confirmed that the meter itself was recording usage accurately. Following that review, staff determined that the billing issue was caused by the ten-times multiplier that had previously been applied in the utility billing software when the meter was calibrated to an incorrect scale. Because the meter scale had since been corrected, the multiplier was no longer needed, resulting in the account being billed at 10 times the actual usage.

Once the billing issue was identified, the City corrected the account and reimbursed the over-billed water charges. The remaining claim now before the Commission relates to the exploratory expenses incurred while attempting to locate the suspected source of the unusually high water usage. Based on staff's review, the issue was limited to the billing configuration for the affected meter on this water account.

Motion:

On the motion of Scott Smith, seconded by Tim White, the Commission authorized payment of the claim in the amount of \$33,780.63 for exploratory expenses related to the meter calibration and utility billing software setting issue for the water account at 811 W. Laurel Street, with payment to be

disbursed only after the property owner has executed the required waiver.

Aye: Dean Hayse, Scott Smith, Tim White

Nay: None

IV. ITEMS FOR DISCUSSION

- A. 2027 Budget Discussion, including but not limited to Revenue Neutral Rate overview.

The Kansas Revenue Neutral Rate (RNR) law, enacted in 2021, was designed to increase transparency and taxpayer awareness when local governments consider property tax revenues above the previous year's level. The RNR is the property tax rate that would generate the same amount of property tax revenue from existing property as the prior year, excluding revenue from new construction and certain other adjustments.

If a city proposes a mill levy above its calculated RNR, state law requires specific public notice procedures and a public hearing before the governing body may exceed the rate. The hearing must be held before adoption of the budget, and the governing body must formally vote to exceed the RNR.

It is important to note that the RNR is not a tax levy limitation. The statute does not prohibit a city from increasing property tax revenues; rather, it establishes additional public notice, hearing, and voting requirements to ensure taxpayers are informed and have an opportunity to provide input before a taxing authority exceeds the revenue-neutral threshold.

The City's calculated RNR for the 2027 budget preparation is 52.269. Last year's final mill rate was 53.799.

Commissioners should be aware that the state's RNR calculation is based on assessed valuation reported on the tax roll and does not fully account for the impact of certain property tax rebate or incentive agreements. In the first year that a property's increased valuation is added to the tax roll, the valuation is included in the RNR calculation even though the city may not receive the full benefit of the corresponding taxes due to rebate obligations under an incentive agreement. As a result, the RNR may assume additional tax base growth that does not translate into immediately available revenues for city operations, which can create a disconnect between the calculated RNR and the city's actual revenue position. For example, if a redevelopment project adds \$10 million in assessed valuation, that value is included in the RNR calculation. However, if the city is rebating most or all of the taxes generated by that new value under an incentive agreement, the city does not actually receive those dollars for general operations. The RNR formula recognizes the valuation growth, but not necessarily the revenue reduction caused by the incentive.

Minutes of the City Commission's June 17, 2026 Meeting

Therefore, the RNR should be viewed as a useful transparency tool, but not necessarily as a complete measure of the City's actual revenue capacity or budgetary needs.

The commission and city staff discussed rising costs to provide services, noting a rate increase is really needed. The commission noted (by consensus) that they did not have interest in increasing the mill rate and instead, staff should work to prepare the budget within the context of a maximum mill rate of 53.799 mills.

City of Independence – 2027 Budget Development Timeline

31 MARCH 2026

Date	Activity	Responsibility
Mar 9	Capital input opens (ClearGov)	Finance
Mar 9–Apr 9	Capital request entry period (ClearGov)	Departments
Mar 11	Budget kickoff meeting	Finance

31 APRIL 2026

Date	Activity	Responsibility
Apr 9	Capital submissions due	Departments
Apr 9	Operational budget input opens (ERP10)	Finance
Apr 9–June 9	Operational budget input period (ERP10)	Departments
Apr 15	Work Session #1 – Capital Discussion	Commission
Apr 16–17	Finance capital review	Finance

Minutes of the City Commission's June 17, 2026 Meeting

Apr 24	Capital corrections due	Departments
Apr 20–30	Capital scoring & ranking	Finance/Admin

31 MAY 2026

Date	Activity	Responsibility
May	ERP10 operational input period	Departments
May 9	Payroll & staffing change submissions due	Departments
May 9–June 3	Payroll modeling	Finance
May 20	Work Session #2 – Policy / Educational Session	Commission

31 JUNE 2026

Date	Activity	Responsibility
June 9	Operational budgets due	Departments
June 9–July 9	Finance review & dept meetings	Finance
June 15	County provides estimated AV	County/Finance
June 17	Work Session #3 – RNR & Revenue Overview	Commission

31 JULY 2026

Minutes of the City Commission's June 17, 2026 Meeting

Date	Activity	Responsibility
July 9	Draft Budgets	Finance
July 15	Work Session #4 – Proposed Mill Levy & Draft Budget	Commission
July 20–24	Individual Commissioner meetings (if needed)	Finance/CM

[31] AUGUST 2026

Date	Activity	Responsibility
Aug 17	Final reports complete (goal)	Finance
Aug 19	Optional Work Session – Final Review	Commission
Aug 19	Submit to newspaper (by Aug 26 at latest)	Finance
Aug 22	Publication runs (by Aug 29 at latest)	Newspaper

[31] SEPTEMBER 2026

Date	Activity	Responsibility
Sept 10	RNR Hearing + Budget Public Hearing + Adoption Commission (Vote)	

[31] OCTOBER 2026

Minutes of the City Commission's June 17, 2026 Meeting

Date	Activity	Responsibility
By Oct 1	Submit adopted budget to County Clerk	Finance

V. ADJOURNMENT

Motion:

On the motion of Tim White, 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

Minutes of the City Commission's July 15, 2026 Meeting

I. SPECIAL 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; David Schwenker, City Clerk/City Treasurer; and Lacey Lies, Finance Director.

Visitors Present:

A. Call to Order

Mayor Hayse called the meeting to order.

II. ITEMS FOR DISCUSSION

A. Budget Worksession

Finance Director Lies led the discussion.

The commission discussed the RNR and reached a decision to give the required “notice of intent” to exceed the RNR at a maximum rate of 53.799. No formal motion was made or vote taken, rather the commission directed (by consensus) the finance director to give the required notice.

III. ITEMS FOR COMMISSION ACTION

A. Consider setting the date for a Special Commission meeting to discuss the Community-Based Strategic Plan.

No action was taken on this item.

IV. 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

Minutes of the City Commission's July 15, 2026 Meeting

Dean A. Hayse, Mayor

W. Scott Smith, Commissioner

Tim White, Commissioner

Attest:

City Clerk/Treasurer



REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
September 10, 2026

Department Admin

Director Approval Kelly Passauer

AGENDA ITEM Consider approving a Preannexation Agreement with Donald and Devona Moore for Lots 17 and 18, Autumn Hills Subdivision No. 1.

SUMMARY RECOMMENDATION Staff recommends approval of the Preannexation Agreement with Donald and Devona Moore for Lots 17 and 18 of Autumn Hills Subdivision No. 1. The agreement documents that the residence constructed across both lots will be served by one water line tap previously allocated to Lot 17 and clarifies that Lot 18 does not have a separate or additional water tap entitlement.

BACKGROUND The City entered into a Development Agreement in 1996 concerning the property that later became Autumn Hills Subdivision No. 1. That agreement addressed City water service to the subdivision and required preannexation agreements as part of the development process.

In 2025, the City entered into a Supplemental Development Agreement with Diamond Property Management, LLC. The agreement provided for the allocation and use of water line taps on specified lots within Autumn Hills Subdivision No. 1 and required a recorded preannexation agreement for any lot receiving a water tap.

Diamond Property Management subsequently executed a Preannexation Agreement covering Lots 3 through 7 and Lots 12 through 17. That agreement authorized one water line tap on each of the eleven listed lots. Lot 18 was not included in that agreement.

Donald and Devona Moore now own Lots 17 and 18, and a residence is being constructed across both lots. The water line tap serving the residence is the tap previously allocated to Lot 17. The proposed agreement includes both Lots 17 and 18 and expressly provides that the residence is limited to one water line tap and that inclusion of both lots does not create a right to a second or additional tap for Lot 18. The agreement also provides for the owners' consent to future annexation and is binding on heirs, successors and assigns.

FINANCIAL INFORMATION Approval of the agreement does not authorize an additional water line tap and does not create an additional water service obligation for the City.

SUGGESTED MOTION I move to approve the Preannexation Agreement with Donald and Devona Moore for Lots 17 and 18, Autumn Hills Subdivision No. 1, and authorize the Mayor and City Clerk to execute the agreement.

SUPPORTING DOCUMENTS

1. Preannexation Agreement - 17 and 18 Autumn Hills No 1

PREANNEXATION AGREEMENT

This Agreement is entered into by and between the **City of Independence, Kansas**, a municipal corporation, (hereafter City), and **Donald Moore and Devona Moore, husband and wife**, (hereafter Owner).

Whereas, pursuant to a Development Agreement dated June 13, 1996, recorded in Book 445 at Page 298, the following described real estate was made subject to a requirement that all owners thereof consent to annexation by CITY as further detailed in said agreement:

W/2 NE/4 SE/4 of Section 1, Township 33 South, Range 15 East, Montgomery County, Kansas, containing 20 acres, more or less.

And Whereas, thereafter a portion of the above-described real estate was platted and is now referred to as Autumn Hills Subdivision #1 which includes 18 platted lots.

And Whereas, a Supplemental Development Agreement was thereafter entered into between City and Diamond Property Management, LLC, a Kansas limited liability company, on November 20, 2025 recorded in Book 752 at Page 505-510.

And Whereas, Owner owns the following described real estate located in Autumn Hills Subdivision #1:

Lots 17 and 18, Autumn Hills Subdivision No. 1, located in Section 1, Township 33 South, Range 15 East, Montgomery County, Kansas

Now Therefore, in consideration of the mutual covenants and agreements hereinafter contained, the parties agree to the following:

1. **Consent to Water Line Tap:** City hereby consents to one (1) water line tap to serve one residential house located on and across Lots 17 and 18, described above, which lots are commonly owned and upon which the residence has been built, subject to the terms and conditions of the Development Agreement and Supplemental Development Agreement described above. The parties expressly acknowledge and agree that this consent is limited to one (1) water line tap for the residential house located on both Lots 17 and 18, and that the inclusion of two platted lots in this Agreement does not entitle Owner, or any heir, successor, or assign of Owner, to a second or additional water line tap for Lots 17 and 18.

2. **Consent to Annexation:** If requested to do so by City, Owner hereby agrees to petition the City for annexation of Owner's real estate into the City limits of City, hereby consents to such annexation and further agrees not to protest or contest the annexation of Owner's real estate if initiated by the governing body of City.

3. **Binding Effect:** This agreement shall be binding upon the heirs, successors and assigns of the parties hereto and shall be considered a covenant running with the land.

WHEREUPON, the parties have hereinto set their hands on the dates shown below.

The City of Independence, Kansas

Date:

By: _____
Dean Hayse, Mayor

ATTEST:

DAVID W. SCHWENKER, City Clerk

STATE OF KANSAS)

) SS:

MONTGOMERY COUNTY)

BE IT REMEMBERED that this _____ day of _____, 2026, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came Dean Hayes, Mayor, and David W. Schwenker, who are personally known to me to be the same persons who executed the within instrument of writing and such persons duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal, the day and year last above written.

My commission expires:

NOTARY PUBLIC

Owner:

9/1/2026
Date:

Donald R. Moore
Donald Moore, husband

9/1/2026
Date:

Devona J Moore
Devona Moore, wife

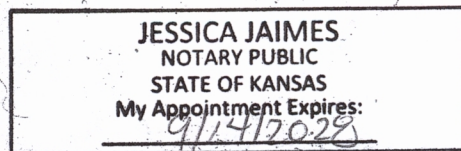
STATE OF Kansas)
) SS:
Montgomery COUNTY)

BE IT REMEMBERED that this 1st day of September, 2026, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came **Donald Moore and Devona Moore, husband and wife**, who are personally known to me to be the same persons who executed the within instrument of writing and such persons duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal, the day and year last above written.

Jessica Jaimes
NOTARY PUBLIC

My commission expires:





REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
September 10, 2026

Department Housing

Director Approval April Nutt

AGENDA ITEM Consider authorizing the Independence Housing Authority to designate a signatory with the authority to execute Real Estate Purchase Agreements on behalf of the Independence Housing Authority for the sale of homes located in the Jefferson Subdivision.

SUMMARY RECOMMENDATION To approve authorizing the Independence Housing Authority to designate an authorized signatory to execute Real Estate Purchase Agreements and related documents for the sale of homes owned by the Independence Housing Authority within the Jefferson Subdivision.

BACKGROUND The Independence Housing Authority currently has eight homes available for sale in the Jefferson Subdivision. Under the ordinance establishing the Independence Housing Authority, the Housing Authority is not authorized to hold title to real property. As a result, the City of Independence holds title to the Jefferson Subdivision properties on behalf of the Independence Housing Authority.

To ensure that the sale of a Jefferson Subdivision home can proceed in a timely manner and avoid delays associated with obtaining individual authorization for each transaction, the Independence Housing Authority is requesting that the City Commission authorize the Independence Housing Authority Board of Directors to designate an individual to serve as an authorized signatory for Real Estate Purchase Agreements and related documents associated with the sale of Jefferson Subdivision homes.

This authorization would allow the Independence Housing Authority to respond promptly to purchase offers and efficiently complete real estate transactions while maintaining oversight through the Housing Authority Board of Directors.

FINANCIAL INFORMATION As the funding to construct the homes was provided by the Housing Authority, there is no financial impact on the City's budget.

SUGGESTED MOTION I move to authorize the Independence Housing Authority Board of Directors to appoint a designated signatory for the purpose of executing Real Estate Purchase Agreements for homes in the Jefferson Subdivision being sold by the Independence Housing Authority.

SUPPORTING DOCUMENTS



REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
September 10, 2026

Department Finance

Director Approval Lacey Lies

AGENDA ITEM Consider approving an agreement with Community Foundation for Independence to establish an Endowment Fund for the Central Park Sports Complex.

SUMMARY RECOMMENDATION Approve City staff to sign the endowment fund agreement.

BACKGROUND As the Central Park Sports Complex (CPSC) continues to grow as a significant community asset, it is important to plan not only for its continued development, but also for its long-term care and sustainability. Staff recommends establishing the Central Park Sports Complex Endowed Fund with the Community Foundation for Independence (CFFI) to provide a dedicated source of funding for the future maintenance, repair, improvement, betterment and expansion of the complex.

The Fund would initially be established with approximately \$65,000 in private donations associated with extended naming rights for Woods Field and Hugo Field. Rather than using these one-time private contributions for current capital expenses, placing the funds into an endowment provides an opportunity for those contributions to continue benefiting the CPSC well into the future.

The Fund would also create an ongoing avenue for individuals, businesses and organizations to make charitable contributions specifically toward the long-term sustainability of the Central Park Sports Complex. As additional gifts are received and invested, the Fund has the potential to grow over time and provide an increasingly meaningful source of support for the facility.

Staff recommends establishing the Fund as a quasi-endowed fund. Under this structure, the intent is to preserve the principal and utilize investment earnings in accordance with CFFI's spending policy to support the CPSC. However, unlike a permanent endowment, the structure retains additional flexibility by allowing, at the discretion of the CFFI Board of Directors, up to 5% of the principal per year to be expended if necessary to fulfill the charitable purpose of the Fund. This provides a balance between protecting the Fund as a long-term asset and maintaining the ability to respond to significant future needs.

Establishing the Fund through CFFI also provides several advantages over simply holding the donations within a City fund. CFFI provides professional investment and fund administration, maintains the charitable structure through which future private gifts can be accepted, and provides continuity that is separate from the City's annual budgeting process. Contributions become assets of CFFI and are administered for the charitable purposes established in the Fund Agreement, helping preserve the original intent of the donations for the long-term benefit of the Central Park Sports Complex.

This structure is particularly important for a major public asset such as CPSC. The City's

investment in the complex does not end when construction is complete. Fields, buildings, equipment and other amenities will require ongoing maintenance, repair and eventual replacement, and future opportunities for improvements or expansion will arise. Establishing a dedicated endowment now allows today's private investment to help offset some of those future costs rather than placing the entire long-term financial responsibility on future City budgets and taxpayers.

The proposed Fund is therefore intended to complement—not replace—the City's responsibility for the Central Park Sports Complex. It provides an additional funding tool that can leverage private generosity, preserve contributions for long-term benefit and help ensure that CPSC remains a high-quality community asset for generations to come.

FINANCIAL INFORMATION This fund would be established with private donations.

SUGGESTED MOTION I move to approve an agreement with Community Foundation for Independence to establish an endowment fund for the Central Park Sports Complex and authorize City staff to execute necessary documents.

SUPPORTING DOCUMENTS

1. CPSC Endowment Fund Agreement 2026



FUND AGREEMENT

The Community Foundation for Independence is a 501(c)3 public charity.
EIN #20-5218378, incorporated in the State of Kansas.

THIS AGREEMENT is entered into this 13th day of August, 2026, by Community Foundation for Independence ("CFFI"), a Kansas not-for-profit charitable corporation, and
City of Independence.

1) FUND AGREEMENT TYPE

- ☐ **Agency** - (Fund established by a 501(c)3 organization with gift dollars they have already sent tax receipts to donors)
- ☐ **Fiscal Sponsorship** - (Fund established by an organization to receive charitable gifts for a sponsored project or organization without tax-exempt status)
- ☐ **Donor Advised** - (Fund established by a donor that will give fund-holder the ability to recommend to charitable causes at later date)
- ☐ **Field of Interest** - (Fund established by a donor(s) that will allow several donors to give to causes similar to their interests)
- ☐ **Scholarship** - (Fund established by a donor that will provide an individual with support for intellectual enhancement)
- ☒ **Designated** - (Fund established by a donor to receive gifts for a specific cause that enables donors to receive a tax deduction)

2) NAME OF FUND

The name of the Fund shall be:

Central Park Sports Complex Endowed Fund

☐ I would like this Fund to be anonymous and **NOT** included in any publications or publicity.

3) PURPOSE OF FUND

The primary purpose of the Fund shall be to provide support, consistent with the exempt purposes of the Foundation, to:

provide ongoing funding for the maintenance, upkeep, and future improvements of the Central Park Sports Complex.

4) TYPE OF FUND

 / **Endowed Fund:** Endowed Funds are established to protect the principal. The principal is not available to spend as per the establishment of the Fund. Distributions will be made in perpetuity according to the Fund's Spending Policy, which may be amended at the sole discretion of the CFFI Board of Directors and in accordance with the Variance Power of the CFFI as stated in paragraph seven of the CFFI Fund Agreement.

___ / ___ **Quasi Endowed Fund:** Quasi-Endowed Funds are established with the intent to function like an endowed fund by preserving the principal for long-term support; however, unlike a permanent endowment, the principal may be made available for expenditure if needed. Distributions are intended to be made according to the Fund's Spending Policy, which may be amended at the sole discretion of the CFFI Board of Directors and in accordance with the Variance Power of the CFFI as stated in paragraph seven of the CFFI Fund Agreement.

Principal Distribution Provision: At the discretion of the CFFI Board of Directors, up to 5 % of the principal per year may be expended if deemed necessary to fulfill the charitable purpose of the Fund. Any such distribution shall be made in accordance with the policies of the Community Foundation and applicable law. ___ / ___

___ / ___ **Expendable/Pass-Through Fund:** Expendable/Pass-Through funds are established with the intent that both earnings and principal will be distributed to charitable causes. Once the original gift and related earnings are exhausted, the fund terminates unless additional gifts are made to the fund.

5) CONTRIBUTIONS

The contributions from the Donor(s) shall be held, administered, and distributed per this Agreement. If contributing multiple securities or assets, please attach pages as needed. The Founding Contributor hereby transfers irrevocably to the Foundation the property described on the below Exhibit A to establish the fund. Subject to the right of the Foundation to reject any gift, any person whether individual, corporation, trust, estate, or organization ("Donor") may make additional gifts to the Foundation for purposes of the fund by a transfer to the Foundation of property acceptable to the Foundation in whole or in part for the Fund. All gifts, bequests, and devices to the Fund shall be irrevocable once accepted by the Foundation. The Fund shall direct donors to make checks payable to Community Foundation for Independence.

Exhibit A (Attach more pages as needed)

- | | |
|--|--|
| ☐ Check for \$ _____ | ☐ Closely held stock, Partnership or LLC interest, etc. |
| ☐ Bequest or other deferred gift | ☐ IRA/Retirement Plan/Life Insurance Policy |
| ☐ Real Estate (attach detail of property) | (Attach a copy of your beneficiary designation form) |
| ☒ Other <u>Transfer \$65,000 from general fund</u> | ☐ Publicly Traded Securities : _____ shares of _____ |

6) DISTRIBUTIONS

For endowed funds, the amount of available funds comes from the principal earnings as determined by the CFFI Endowed Spending Policy.

For expendable/pass-through funds, requests for distributions shall not exceed the fund balance and may be submitted thought-out the year.

Requests may be made in person, by email, or by mail.

Recommendations will be reviewed for charitable status and have final approval from the CFFI Board of Directors. The Board shall monitor all distributions to ensure they are used exclusively for charitable purposes as per Codes Section 170(c)(1) or (2)(b) and shall have powers of modification and removal specified in United States Treasury Regulations Section 1.170A-9(e)(11)(v)(b).

7) AGREEMENT

Policies and Procedures

The undersigned understands that any contribution to the CFFI represents an irrevocable gift that is not refundable and, once accepted, becomes an asset of CFFI to be held, administered, and distributed solely for charitable purposes consistent with this Agreement and applicable law. The undersigned certify that all information presented with this agreement is accurate and will notify CFFI of changes.

Fund Administration and Fees

The undersigned agrees to the terms and conditions of the CFFI Fee Schedule as adopted by the CFFI Board of Directors and as amended from time to time. The Fund is subject to the Foundation's Administrative Fee Schedule (the "Fee Schedule"), as adopted by the CFFI Board of Directors and as amended from time to time. The Fee Schedule is incorporated by reference into this Agreement as though fully set forth herein. The Foundation may amend the Fee Schedule upon Board approval, and the Foundation will provide notice of material changes before such changes become effective for the Fund (e.g., by posting the updated Fee Schedule on the Foundation's website and/or providing written notice). In addition to the Foundation's administrative fees, the Fund may be charged third-party fees at actual cost, including online/credit card gift processing fees and investment management or investment fund fees assessed by third-party investment providers, as applicable.

Accounting

CFFI shall provide accounting reports to the Fund representative on a monthly basis. CFFI shall provide reports upon request. The Fund can expect the following as part of the Fund accounting:

1. CFFI will keep a record of all deposited funds for the Fund.
2. CFFI will disburse funds as directed by the Fund representative within the guidelines set forth in this agreement and with proper documentation.
3. CFFI will maintain a current record of balance for the Fund.
4. Accounting documents will be given to the designated representative of the Fund.

Prohibitions

To the extent this Fund is a Donor Advised Fund and/or has one or more Fund Representatives or advisors with recommendation privileges, the following restrictions apply:

1. The Fund, in accordance with applicable federal law (including donor-advised fund restrictions), shall not provide grants, loans, compensation, or similar payments that would result in prohibited benefits to donors, advisors/Fund Representatives, or related parties.
2. The Fund shall not make grants to individuals, including grants to organizations for the benefit of a specified individual; provided, however, that Scholarship Funds may make grants to individuals only pursuant to CFFI's scholarship policies and procedures, using objective criteria and required approvals, and in compliance with applicable law.
3. The Fund shall not make grants to fulfill pledges, dues, membership fees, benefit tickets and the non-charitable portion of fundraising dinners, or goods and services brought at charitable auctions.

Investments

The undersigned acknowledge and agree that IRS regulations enable authorized rep(s) to recommend investment preferences but require CFFI to retain financial discretion regarding those preferences. The undersigned understands that investments will be administered in accordance with the policies of CFFI. The undersigned acknowledges that investments are subject to market and interest rate fluctuation risks and that any gain or loss generated will be credited or charged to the fund.

Indemnity

In consideration of CFFI creating a fund at the request of the individual(s) or entity named, the undersigned hereby agree to indemnify and hold harmless the CFFI, its directors, officers, and other representatives, against any liability, cost, or expense which CFFI may incur because it acts upon recommendations given to the Foundation by any of the authorized persons named.

Variance Power

It is understood that the Fund is a component part of CFFI, which shall be held as general assets of the CFFI and not as a separate trust fund. CFFI will administer the fund subject to the laws of the State of Kansas and the Community Foundation for Independence's Articles of Incorporation and Bylaws. CFFI will monitor the distribution of the Fund to ensure it is used exclusively for charitable or other exempt purposes (within the meaning of Codes Section 170(c)(1) or (2)(b) and will recommend modifications if needed as specified in United States Treasury Code of Regulations Section 1.170A-9(e)(11)(v)(B)). If any conditions or restrictions with respect to the Fund are unnecessary, incapable of fulfillment, or inconsistent with the charitable or exempt purposes of the Fund, the CFFI reserves the right to vary terms to ensure the charitable intent of the Fund is honored.

Continuity and Dissolution

The Fund shall continue as long as assets are available in the Fund and its purposes can be served by its continuation. Should the Fund terminate, dissolve, or otherwise cease operations (or, for Fiscal Sponsorship/Special Project funds, if the sponsored project ends) and funds remain, the CFFI Board of Directors shall use remaining funds for purposes as near as practicable to the Fund's stated charitable purpose, consistent with this Agreement and applicable law.

8) AGREEMENT SIGNATURES

Authorized Fund Representative 1

Authorized Fund Representative 2

Fund Representatives have the authority to recommend: 1) distributions, 2) changes to the investment of assets, and 3) continuity and distribution upon dissolution.

City of Independence

Business or Organization Name (if applicable) / Address / Phone / Email

Name: Lacey Lies

Name: David Schwenker

Address: 120 N 6th St.

Address: 120 N 6th St.

City / State / Zip: Independence, KS 67301

City / State / Zip: Independence, KS 67301

Phone: 316-312-6148Phone: 620-332-2500Email: laceyl@independenceks.govEmail: davids@independenceks.gov

Business or Organization's EIN Number: _____

Signature: _____

Signature: _____

Date: _____

Date: _____

Successor Fund Representative(s)

Successor Fund Representatives shall have the same power and authority as the original advisor(s). By default, privilege, and authority comes to CFFI if no successor representative is named. The Donor(s) to this Fund hereby designates the following successor advisor(s): (Add additional pages if needed.)

Full Name (First, Middle, Last)_____
Relationship to donor advisor(s)_____
Contact Information (Address, Phone, Email)_____
Additional Contact Information_____
Signature

COMMUNITY FOUNDATION FOR INDEPENDENCE

Signature

Abigail Emert, Executive Director

Signature_____
Name / Title (Please Print)_____
Date_____
Date

Date of Initial Gift: ____ / ____ / ____

Date of Board Approval: 07 / 21 / 2026



REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
September 10, 2026

Department Admin

Director Approval David Cowan

AGENDA ITEM Consider adopting an amended Ordinance 4508 dealing with annexing land owned by the City which adjoins the City limits.

SUMMARY RECOMMENDATION City staff recommends approval of the amendment.

BACKGROUND Ordinance No. 4508 approved the annexation of City-owned property adjoining the City limits. However, the word “West” was inadvertently omitted from the legal description. The proposed amending ordinance includes the corrected legal description. City staff recommends that the City Commission approve the amending ordinance.

FINANCIAL INFORMATION N/A

SUGGESTED MOTION I move to approve the amendment to Ordinance 4508 to include the correct legal description.

SUPPORTING DOCUMENTS

1. AMENDED ORDINANCE 4508 - Dealing with Annexing Land

AMENDED ORDINANCE NO. 4508
AN ORDINANCE ANNEXING LAND OWNED BY THE
CITY WHICH ADJOINS THE CITY LIMITS

Be it ordained by the governing body of the City of Independence, Kansas:

Section 1. The following described real estate was recently acquired by the city, is now owned by the City, and adjoins the city limits, but has not been annexed into the City:

Commencing at the SW corner of the SE/4 NW/4 of Section 26,
Township 32 South, Range 15 East, Montgomery County, Kansas,
thence North 34 Rods; thence East 40 Rods; thence South 34 Rods;
thence West 40 Rods to point of beginning, subject to existing rights-
of-way

Section 2. The above-described land is hereby annexed within the corporate city limits of the City of Independence, Kansas.

Section 3. This ordinance shall take effect upon its publication in the official City newspaper.

Adopted by the governing body of the City of Independence, Kansas on the 10th day of September, 2026.

Dean Hayse, Mayor

ATTEST:

David Schwenker, City Clerk



REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
September 10, 2026

Department Finance

Director Approval Lacey Lies

AGENDA ITEM Public Hearing to Exceed the Revenue Neutral Rate.

SUMMARY RECOMMENDATION Adopt Resolution 2026-123 authorizing the City to levy a property tax rate exceeding the revenue neutral rate.

BACKGROUND Kansas law establishes a Revenue Neutral Rate (RNR) for each taxing subdivision. The Revenue Neutral Rate is the mill levy rate that would generate approximately the same amount of property tax revenue as the prior year, using the current year's estimated assessed valuation. As assessed valuation grows, the Revenue Neutral Rate generally decreases because fewer mills are needed to generate the same amount of property tax revenue.

For the 2027 budget year, the City's Revenue Neutral Rate is 52.269 mills. The City is proposing a total mill levy of 53.795 mills. Because the proposed mill levy exceeds the Revenue Neutral Rate, the City is required to hold a public hearing and provide an opportunity for public comment before considering approval to exceed the Revenue Neutral Rate.

Although the proposed levy exceeds the Revenue Neutral Rate, the City is not proposing an increase to its overall mill rate. The City's 2026 actual mill rate was 53.799 mills, compared to the proposed 2027 rate of 53.795 mills, a slight decrease of 0.004 mills. The City will receive additional property tax revenue because the assessed valuation is estimated to increase; the Revenue Neutral Rate is designed to reduce the mill rate as valuations grow, so that property tax revenues remain approximately level from year to year.

The additional revenue generated by maintaining an essentially flat mill rate will help support the increasing cost of providing existing City services, maintaining infrastructure, and meeting other ongoing operational obligations. Following the public hearing, the City Commission will consider a resolution authorizing the City to exceed the Revenue Neutral Rate and establishing the maximum property tax rate for the 2027 budget year.

Revenue Neutral Rate: 52.269 mills
2026 Actual City Mill Rate: 53.799 mills
2027 Proposed City Mill Rate: 53.795 mills
Change in City Mill Rate: -0.004 mills

FINANCIAL INFORMATION The proposed mill rate of 53.795 mills will levy an estimated \$113,613 more than the Revenue Neutral Rate of 52.269 mills. \$4,002,939 vs \$3,889,326.

SUGGESTED MOTION I move to adopt Resolution 2026-123, authorizing the City to levy a property tax rate that exceeds the revenue neutral rate. [Roll call vote required]

SUPPORTING DOCUMENTS

1. Combined RNR and Budget Hearing Notice
2. Resolution 2026-123 - Authorization to Exceed the Revenue Neutral Rate

NOTICE OF HEARING TO EXCEED REVENUE NEUTRAL RATE AND BUDGET HEARING

2027

The governing body of
City of Independence
will meet on September 10, 2026 at 5:30 PM at City Hall, 120 N 6th St. for the purpose of hearing and
answering objections of taxpayers relating to the proposed use of all funds and the amount of ad valorem tax.
Detailed budget information is available at City Hall, 120 N 6th St. and will be available at this hearing.

BUDGET SUMMARY

Proposed Budget 2027 Expenditures and Amount of 2026 Ad Valorem Tax establish the maximum limits of the 2027 budget.
Estimated Tax Rate is subject to change depending on the final assessed valuation.

FUND	Prior Year Actual for 2025		Current Year Estimate for 2026		Proposed Budget Year for 2027		
	Expenditures	Actual Tax Rate *	Expenditures	Actual Tax Rate *	Budget Authority for Expenditures	Amount of 2026 Ad Valorem Tax	Proposed Estimated Tax Rate *
General	11,162,385	49.422	11,266,609	48.362	11,368,193	3,630,859	48.795
Debt Service	16,452,062		4,413,208		3,957,607		
Library	249,999	3.960	300,000	4.003	330,000	297,662	4.000
Industrial	27,500	0.375	27,500	0.369	2,578		
Liability Insurance	92,643		92,000	1.065	138,973	74,418	1.000
Special Highway	382,422		469,130		569,931		
Eco Dev & Transportation	706,898		750,000		993,000		
Special Alcohol	30,000		42,792		39,867		
Education Sales Tax	2,226,904		2,500,000		3,027,829		
Special Park & Recreation	62,952		108,000		64,839		
Fight Addiction Fund			28,437		79,805		
Special Use Sales Tax (2023-2033)	2,654,733		2,500,000		2,600,000		
Airport	757,252		673,158		686,279		
Water & Sewer	7,020,745		7,178,670		7,090,865		
Sanitaton	1,802,833		1,287,931		1,384,482		
Non-Budgeted Funds-A	134,815						
Non-Budgeted Funds-B	394,974						
Non-Budgeted Funds-C	166,204						
Non-Budgeted Funds-D	8,213,467						
Non-Budgeted Funds-E	4,775,730						
Non-Budgeted Funds-F	1,803,912						
Non-Budgeted Funds-G	1,111						
Totals	59,119,541	53.757	31,637,435	53.799	32,334,248	4,002,939	53.795
Revenue Neutral Rate**							52.269
Less: Transfers	6,963,572		6,502,572		6,617,276		
Net Expenditure	52,155,969		25,134,863		25,716,972		
Total Tax Levied	3,889,326		3,889,326		xxxxxxxxxxxxxxxxxxx		
Assessed Valuation	72,293,465		72,293,465		74,409,735		
Outstanding Indebtedness, January 1,	2024		2025		2026		
G.O. Bonds	25,825,000		29,285,000		28,385,000		
Revenue Bonds	26,480,000		30,655,000		30,655,000		
Other	3,175,207		6,251,576		5,687,240		
Lease Purchase Principal	506,090		734,518		891,873		
Total	55,986,297		66,926,094		65,619,113		

*Tax rates are expressed in mills
**Revenue Neutral Rate as defined by KSA 79-2988

City of Independence
City Official Title: Finance Director

A RESOLUTION OF THE CITY OF INDEPENDENCE, KANSAS TO LEVY A PROPERTY TAX RATE EXCEEDING THE REVENUE NEUTRAL RATE;

WHEREAS, the Revenue Neutral Rate for City of Independence was calculated as 52.269 mills by the Montgomery County Clerk; and

WHEREAS, the budget proposed by the Governing Body of the City of Independence will require the levy of a property tax rate exceeding the Revenue Neutral Rate; and

WHEREAS, the Governing Body held a hearing on September 10, 2026 allowing all interested taxpayers desiring to be heard an opportunity to give oral testimony; and

WHEREAS, the Governing Body of the City of Independence, having heard testimony, still finds it necessary to exceed the Revenue Neutral Rate.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE City of Independence:

The City of Independence shall levy a property tax rate exceeding the Revenue Neutral Rate of 52.269 mills.

This resolution shall take effect and be in force immediately upon its adoption and shall remain in effect until future action is taken by the Governing Body.

ADOPTED this 10th day of September 2026 and **SIGNED** by the Mayor.

Mayor, Dean Hayse

Attested:

City Clerk, David Schwenker



REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
September 10, 2026

Department Finance

Director Approval Lacey Lies

AGENDA ITEM Public Hearing regarding the adoption of the 2027 Budget.

SUMMARY RECOMMENDATION Adopt the 2027 Budget as presented.

BACKGROUND What is the Municipal Budget?

Each year a city must forecast the revenues it expects to receive and the expenditures it expects to incur in the upcoming year. The resulting formalized document is known as the Municipal Budget, which is submitted to the Kansas Department of Revenue. The budget is constantly monitored throughout the year to determine if the city's spending is within the budgeted authority as well as whether the city is spending more or less than its revenues.

What does our City's Municipal Budget Do?

Each year the City Commission and City staff work together to develop an Annual Budget. While the Budget is being created, all parties must make decisions on how to utilize the limited revenues that the City receives in order to produce the greatest benefits for the citizens. The Budget serves as an outline of how the monies that come into the City should be spent to maintain and improve the City.

The City Staff, City Commission, and interested citizens all serve as participants in its creation and execution. The Budget is a management and planning tool. Because the City is limited by the amount of resources available, the Budget aids officials in determining which objectives have the highest priority and will produce the greatest positive impact on the community. The Funds in which the City can levy Ad Valorem Tax dollars are as follows: the General Fund, Library, Industrial, Liability Insurance, and Debt Service. For 2027, the City does not intend to fund the Debt Service Fund or Industrial Fund with current year Ad Valorem Tax levies.

How is our City's Municipal Budget Created?

Developing the City's annual budget is a collaborative, months-long process involving the City Commission, City leadership, Finance, and each department. Departments carefully evaluate their operational needs, staffing, equipment, infrastructure, and anticipated costs before submitting requests for consideration. Those requests are then reviewed and analyzed alongside projected revenues, available resources, community priorities, and long-term financial needs.

The process involves multiple levels of review and refinement. Not every request is funded, and proposed expenditures are routinely reduced, deferred, modified, or prioritized to develop a responsible budget within the resources available. The process is not simply about determining how much to spend, but to make intentional decisions about where limited City resources can provide the greatest benefit while maintaining the City's financial stability. Budget work sessions were held on the following dates in 2026: April 15; May 20; June 17; July 15; August 19; August 24

What Does the Proposed 2027 Budget Reflect?

The proposed 2027 Budget was developed with the goal of maintaining the City's overall mill rate while continuing to provide essential City services. Achieving that goal required careful review and prioritization of expenditures. Throughout the budget process, requested expenditures were reduced, deferred, modified, or funded from alternative sources where appropriate. These adjustments included reductions or deferrals involving personnel requests, repair and maintenance, training, street maintenance, and other operating expenses. While the proposed budget does not eliminate major City services, that does not mean every service can continue at the same level. The cost of fuel, materials, repairs, utilities, contracted services, and other operating expenses has increased, while many of the dollars budgeted for those expenses have remained flat or have been reduced. Simply put, the same dollar does not buy as much as it did before. When the amount budgeted for an expense stays the same but the cost of that expense increases, the City can purchase less with those dollars. This means some work may need to be performed less frequently, reduced in scope, or deferred in order to remain within the resources available. The proposed 2027 Budget reflects an intentional effort to balance increasing costs and community needs with the goal of maintaining the City's overall mill rate. Many of the reductions, deferrals, funding shifts, and other measures used to balance the proposed budget cannot be repeated indefinitely. Deferred maintenance also does not eliminate the underlying need and, in some cases, may result in greater costs in future years.

FINANCIAL INFORMATION The proposed budget imposes a mill rate of 53.795 mills, which is estimated to levy \$4,002,939 in property tax dollars and authorizes \$32,334,248 in budgeted fund expenditures for 2027.

SUGGESTED MOTION I move to adopt the 2027 Budget as presented.

SUPPORTING DOCUMENTS

1. 2027 State Budget Workbook_Independence_Final
2. Combined RNR and Budget Hearing Notice

2027

CERTIFICATE

To the Clerk of Montgomery County, State of Kansas

We, the undersigned, officers of

City of Independence

- certify that: (1) the hearing mentioned in the attached publication was held;
 (2) after the Budget Hearing this budget was duly approved and adopted as the maximum expenditures for the various funds for the year 2027; and
 (3) the Amounts(s) of 2026 Ad Valorem Tax are within statutory limitations.

		Page No.	2027 Adopted Budget		
			Budget Authority for Expenditures	Amount of 2026 Ad Valorem Tax	Final Tax Rate (County Clerk's Use Only)
Table of Contents:					
Allocation of MVT, RVT, 16/20M Veh Tax		2			
Schedule of Transfers		3			
Statement of Indebtedness		4			
Statement of Lease-Purchases		5			
Computation to Determine State Library Grant		6			
Fund	K.S.A.				
General	12-101a	7	11,368,193	3,630,859	
Debt Service	10-113	8	3,957,607		
Library	12-1220	8	330,000	297,662	
Industrial	12-1617h	9	2,578		
Liability Insurance	75-6110	9	138,973	74,418	
Special Highway		10	569,931		
Eco Dev & Transportation		10	993,000		
Special Alcohol		11	39,867		
Education Sales Tax		11	3,027,829		
Special Park & Recreation		12	64,839		
Fight Addiction Fund		12	79,805		
Special Use Sales Tax (2023-2033)		13	2,600,000		
Airport		14	686,279		
Water & Sewer		15	7,090,865		
Sanitation		16	1,384,482		
Non-Budgeted Funds-A		17			
Non-Budgeted Funds-B		18			
Non-Budgeted Funds-C		19			
Non-Budgeted Funds-D					
Non-Budgeted Funds-E					
Non-Budgeted Funds-F					
Non-Budgeted Funds-G					
Totals		xxxxxx	32,334,248	4,002,939	
Budget Hearing Notice					County Clerk's Use Only
Combined Rate and Budget Hearing Notice					
RNR Hearing Notice					
Neighborhood Revitalization		24			Nov 1, 2026 Total Assessed Valuation

Revenue Neutral Rate 52.269

Does budget require a resolution to exceed the Revenue Neutral Rate? YES

Assisted by:

Address:

Email:

Attest: _____, 2026

County Clerk

Governing Body

CPA Summary

City of Independence

2027

Allocation of MV, RV, 16/20M, Commercial Vehicle, and Watercraft Tax Estimates

Budgeted Fund for 2026	Ad Valorem Levy Tax Year 2025	Allocation for Year 2027				
		MVT	RVT	16/20M Veh	Comm Veh	Watercraft
General	3,496,231	309,984	3,006	599	12,563	0
Debt Service						
Library	289,385	25,658	249	50	1,040	0
Industrial	26,682	2,366	23	5	96	0
Liability Insurance	77,028	6,829	66	13	277	0
TOTAL	3,889,326	344,837	3,344	667	13,976	0

County Treas Motor Vehicle Estimate	344,837				
County Treas Recreational Vehicle Estimate		3,344			
County Treas 16/20M Vehicle Estimate			667		
County Treas Commercial Vehicle Tax Estimate				13,976	
County Treas Watercraft Tax Estimate					0

Motor Vehicle Factor	0.08866				
Recreational Vehicle Factor		0.00086			
16/20M Vehicle Factor			0.00017		
Commercial Vehicle Factor				0.00359	
Watercraft Factor					0.00000

City of Independence

2027

Schedule of Transfers

Expenditure Fund Transferred From:	Receipt Fund Transferred To:	Actual Amount for 2025	Current Amount for 2026	Proposed Amount for 2027	Transfers Authorized by Statute
SUST	General Fund	625,000	625,000	650,000	12,197
SUST	Bond & Interest	775,000	775,000	806,000	12,197
SUST	Economic Development	125,000	125,000	130,000	12,197
SUST	City Projects	300,000	300,000	312,000	12,197
SUST	Street Capital Reserve	675,000	675,000	702,000	12,197
General Fund	Capital Reserve	337,435	361,750	372,045	12-1,118
General Fund	Demolition Fund	75,000	100,000	100,000	12-1,118
Economic Development	Street Capital Reserve	300,000	100,000	105,000	12-1,118
Economic Development	Airport Capital Reserve	-	50,000	50,000	12-1,118
Economic Development	City Projects	-	-	160,000	12-1,118
Economic Development	City Grant Programs	150,000	300,000	300,000	79-2934
Education Sales Tax	Bond & Interest	249,400	252,350	-	12,197
City Projects	Bond & Interest	131,732	141,632	283,307	12,197
QOL Sales Tax	City Projects	-	-	-	12,197
Special Highway	Street Capital Reserve	466,619	469,130	569,931	12-1,118
Street Capital Reserve	Bond & Interest	625,000	625,000	327,675	12-1,118
Airport	Airport Capital Reserve	25,000	-	-	12-1,825d
Water/Sewer	Bond & Interest	77,825	330,320	325,775	12-1,825d
Water/Sewer	Water/Sewer Capital Reserve	815,000	190,000	200,000	12-1,825d
Water/Sewer	City Grant Programs	50,000	50,000	50,000	12-1,825d
Water/Sewer	General Fund Support	985,591	995,250	1,006,125	12-1,825d
Sanitation	General Fund Support	137,830	-	-	12-1,825d
Employee Benefit	General Fund	-	-	-	79-2958
Skate Park	General Fund	-	-	-	Council Motion
12" Pipeline - Bartlett Pt	Bond & Interest	-	-	-	Council Motion
Incubator Building	Economic Development	37,140	37,140	164,840	12-1,118
Industrial Fund	Economic Development	-	-	2,578	12-1,118
	Totals	6,963,572	6,502,572	6,617,276	
	Adjustments				
	Adjusted Totals	6,963,572	6,502,572	6,617,276	

*Note: Adjustments are required only if the transfer is being made in 2026 and/or 2027 from a non-budgeted fund.

City of Independence

2027

STATEMENT OF INDEBTEDNESS

Type of Debt	Date of Issue	Date of Retirement	Interest Rate %	Amount Issued	Beginning Amount Outstanding Jan 1, 2026	Date Due		Amount Due 2026		Amount Due 2027	
						Interest	Principal	Interest	Principal	Interest	Principal
General Obligation:											
Series 2015-A	7/22/2015	10/1/2030	2-3%	1,960,000	725,000	March	September	21,750	140,000	17,550	140,000
Series 2016-A	7/12/2016	10/1/2026	2-3%	1,875,000	245,000	March	September	7,350	245,000	0	0
Series 2019-A	10/2/2019	10/1/2026	3%	1,430,000	290,000	March	September	8,700	290,000	0	0
Series 2022-A	6/30/2022	10/1/2042	3-5%	13,925,000	12,320,000	March	September	454,456	525,000	428,206	550,000
Series 2024-1	2/1/2024	10/1/2027	0.04	4,565,000	4,565,000	March	September	182,600	0	182,600	4,565,000
Series 2025-A	3/27/2025	10/1/2029	4.33-4.35%	10,115,000	8,270,000	March	September	353,907	1,935,000	272,250	2,020,000
Series 2025-B	8/21/2025	10/1/2035	4-5%	1,970,000	1,970,000	March	September	99,444	150,000	82,000	165,000
Total G.O. Bonds					28,385,000			1,128,207	3,285,000	982,606	7,440,000
Revenue Bonds:											
13 Series of Bonds	Various	Various	Various	30,655,000	30,655,000						
Total Revenue Bonds					30,655,000			0	0	0	0
Other:											
Loan C-20-1915-01	10/24/2011	3/1/2034	2.50	3,764,485	1,492,021	MARCH	SEPT	36,309	159,624	32,294	163,639
Loan Project No. 2933	8/15/2018	8/1/2040	2.33	1,587,361	1,178,810	FEBRUARY	AUGUST	65,835	129,448	62,801	132,482
KPWSLF No. 3058	7/1/2021	2/1/2044	1.33	3,776,894	3,016,409	FEBRUARY	AUGUST	48,579	167,118	46,348	169,348
Total Other					5,687,240			150,723	456,190	141,443	465,469
Total Indebtedness					64,727,240			1,278,930	3,741,190	1,124,049	7,905,469

City of Independence

2027

STATEMENT OF CONDITIONAL LEASE-PURCHASE AND CERTIFICATE OF PARTICIPATION*

Item Purchased	Contract Date	Term of Contract (Months)	Interest Rate %	Total Amount Financed (Beginning Principal)	Principal Balance As Beginning of 2026	Payments Due 2026	Payments Due 2027
2019 101' Aerial Fire Truck	4/1/2019	84	3.44	597,896	94,329	97,558	0
2023 Sanitation Truck	10/1/2022	60	1.96	199,838	82,270	42,348	42,348
2024 Sanitation Truck	7/25/2024	60	4.98	395,637	324,004	91,336	91,336
Remount Ambulance	1/9/2025	60	3.95	196,075	196,075	43,984	43,984
2025 Bucket Truck	3/19/2025	60	4.25	195,195	195,195	44,156	44,156
Totals					891,873	319,382	221,824

*****If leasing/renting with no intent to purchase, do not list--such transactions are not lease-purchases.**

**WORKSHEET FOR STATE GRANT-IN-AID TO PUBLIC LIBRARIES AND
REGIONAL LIBRARY SYSTEMS**

Budgeted Year: 2027

Library found in: City of Independence
Montgomery County

As provided in KSA 79-2553 *et seq.*, two tests are used to determine eligibility for State Library Grant. If the grant is approved, then the municipality's library will be paid the grant on February 15 of each year.

First test:

	Current Year <u>2026</u>	Proposed Year <u>2027</u>
Ad Valorem	\$289,385	\$297,662
Delinquent Tax	\$8,000	\$0
Motor Vehicle Tax	\$24,898	\$25,658
Recreational Vehicle Tax	\$254	\$249
16/20M Vehicle Tax	\$69	\$50
TOTAL TAXES	<u>\$322,606</u>	<u>\$323,619</u>
Difference in Total Taxes:	\$1,013	
Qualify for grant:	Qualify	

Second test:

Assessed Valuation	\$72,293,465	\$74,409,735
Did Assessed Valuation Decrease?	No	
Levy Rate	4.003	4.000
Difference in Levy Rate:	(0.003)	
Qualify for grant:	Not Qualify	

Overall does the municipality qualify for a grant? **Qualify**

If the municipality would not have qualified for a grant, please see the below narrative for assistance

City of Independence

2027

FUND PAGE FOR FUNDS WITH A TAX LEVY

Adopted Budget General	Prior Year Actual for 2025	Current Year Estimate for 2026	Proposed Budget Year for 2027
Unencumbered Cash Balance Jan 1	1,874,516	1,339,649	879,623
Receipts:			
Ad Valorem Tax	3,106,813	3,496,231	xxxxxxxxxxxxxxxxxx
Delinquent Tax	197,134	100,000	130,000
Motor Vehicle Tax	324,577	310,709	309,984
Recreational Vehicle Tax	3,173	3,173	3,006
16/20M Vehicle Tax	854	858	599
Commercial Vehicle Tax	12,689	12,673	12,563
Watercraft Tax	2,886	2,116	0
Gross Earning (Intangible) Tax			0
Vehicle Rental Excise Tax	11,704	5,000	11,483
MV Rounding			15
Franchise Tax	497,314	502,800	505,500
Local Sales Tax	2,654,733	2,500,000	2,600,000
Local Alcoholic Liquor	40,316	42,792	39,867
MG County EMS Distribution	182,244	183,512	170,000
Miscellaneous Taxes	884	4,000	1,000
Lisences and Permits	94,456	97,200	94,700
Transfers	1,718,489	1,620,250	1,656,125
State Fees	8,064	15,500	12,925
Municipal Court	123,530	204,500	190,615
Planning and Zoning	1,046	2,400	2,400
Service Fees	1,150,991	1,100,000	1,150,250
Fees from Sales	25,665	18,000	18,000
Ride Receipts	23,715	35,000	35,000
Building Rental	59,631	59,000	57,000
Charge Offs and Recoveries	114,414		
Other Income	-114,889		
Reimbursements	95,103	10,000	5,000
Donations	61		
Tax Credits		500,000	500,000
			4,000
Interest on Idle Funds	194,817	200,000	175,000
Neighborhood Revitalization Rebate		-219,131	-185,400
Miscellaneous	97,104		
Does miscellaneous exceed 10% Total Rec			
Total Receipts	10,627,518	10,806,583	7,499,633
Resources Available:	12,502,034	12,146,232	8,379,256

Page No. 7

City of Independence

FUND PAGE - GENERAL

Adopted Budget	Prior Year	Current Year	Proposed Budget
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CPA Summary

City of Independence

2027

Adopted Budget General Fund - Detail Page 1	Prior Year Actual for 2025	Current Year Estimate for 2026	Proposed Budget Year for 2027
Expenditures:			
Administration Department			
Salaries	488,816	519,237	531,622
Contractual	132,922	127,600	123,570
Commodities	12,588	12,000	10,000
Capital Outlay			
Total	634,326	658,837	665,192
Municipal Court Department			
Salaries	66,497	71,442	71,787
Contractual	137,932	147,768	183,192
Commodities	1,950	2,500	2,000
Capital Outlay			
Total	206,379	221,710	256,979
City Hall Department			
Salaries			
Contractual	73,514	140,102	72,852
Commodities	43,288	11,000	9,500
Capital Outlay			
Total	116,802	151,102	82,352
General Government Department			
Salaries	29,604	58,172	72,610
Contractual	550,189	494,310	453,317
Commodities	6,575		7,500
Capital Outlay	1,789		
Total	588,157	552,482	533,427
Finance and Records Department			
Salaries	316,374	373,635	354,183
Contractual	111,633	103,895	91,275
Commodities	12,454	12,000	11,000
Capital Outlay			
Total	440,461	489,530	456,458
Dispatch Department			
Salaries	481,855	524,264	546,737
Contractual	964	2,000	12,300
Commodities	1,950	3,500	3,500
Capital Outlay			
Total	484,769	529,764	562,537
Police Department			
Salaries	1,773,829	1,837,342	1,927,975
Contractual	189,474	180,850	268,995
Commodities	109,996	96,000	95,000
Capital Outlay			
Total	2,073,299	2,114,192	2,291,970
Fire-EMS Department			
Salaries	2,024,952	1,991,196	2,143,720
Contractual	196,606	197,082	201,040
Commodities	171,672	183,000	171,000
Capital Outlay	657		
Total	2,393,887	2,371,278	2,515,760
Page 1 - Total	6,938,080	7,088,895	7,364,675

City of Independence

2027

Adopted Budget General Fund - Detail Page 2	Prior Year Actual for 2025	Current Year Estimate for 2026	Proposed Budget Year for 2027
Expenditures:			
Code Enforcement Department			
Salaries	148,267	138,914	145,572
Contractual	46,899	27,200	46,513
Commodities	7,021	9,000	8,750
Capital Outlay			
Total	202,187	175,114	200,835
Animal Control			
Salaries	73,780	77,018	78,699
Contractual	48,885	56,425	59,925
Commodities	3,633	5,250	6,250
Capital Outlay			
Total	126,298	138,693	144,874
Street Department			
Salaries	445,290	494,301	512,979
Contractual	408,146	379,600	395,440
Commodities	224,343	200,000	175,500
Capital Outlay			
Total	1,077,779	1,073,901	1,083,919
Park Department			
Salaries	482,978	516,345	609,618
Contractual	150,163	234,112	149,522
Commodities	69,840	84,500	68,500
Capital Outlay	13,580		
Total	716,561	834,957	827,640
Zoo department			
Salaries	369,693	404,104	420,180
Contractual	66,540	79,152	59,552
Commodities	146,013	125,500	115,200
Capital Outlay	2,689		
Total	584,935	608,756	594,932
Cemetery Department			
Salaries	212,034	231,536	231,081
Contractual	80,998	38,304	34,901
Commodities	21,734	18,000	18,000
Capital Outlay	492	8,000	13,000
Total	315,258	295,840	296,982
Memorial Hall Department			
Salaries	154,554	142,999	148,723
Contractual	282,414	117,080	131,818
Commodities	31,463	20,000	14,500
Capital Outlay			
Total	468,431	280,079	295,041
Total	0	0	0
Page 2 -Total	3,491,449	3,407,340	3,444,223
Page 1 -Total	6,938,080	7,088,895	7,364,675
Grand Total	10,429,529	10,496,235	10,808,898

(Note: Should agree with general sub-totals.)

City of Independence

2027

FUND PAGE FOR FUNDS WITH A TAX LEVY

Adopted Budget Debt Service	Prior Year Actual for 2025	Current Year Estimate for 2026	Proposed Budget Year for 2027
Unencumbered Cash Balance Jan 1	599,880	485,320	444,491
Receipts:			
Ad Valorem Tax		0	xxxxxxxxxxxxxxxx
Delinquent Tax	5		
Motor Vehicle Tax			
Recreational Vehicle Tax			
16/20M Vehicle Tax			
Commercial Vehicle Tax			
Watercraft Tax			
Bond Proceeds	14,430,573		
Transfers In	1,906,924	2,124,301	1,495,757
Reimbursements		2,248,078	2,249,123
Neighborhood Revitalization Rebate			0
Miscellaneous			
Does miscellaneous exceed 10% Total Rec			
Total Receipts	16,337,502	4,372,379	3,744,880
Resources Available:	16,937,382	4,857,699	4,189,371
Expenditures:			
Principal	12,985,000	3,285,000	2,875,000
Interest	1,290,862	1,128,208	982,607
Cost of Issuance	176,200		100,000
Transfers Out	2,000,000		
Cash Reserve (2027 column)			
Miscellaneous			
Does miscellaneous exceed 10% Total Exp			
Total Expenditures	16,452,062	4,413,208	3,957,607
Unencumbered Cash Balance Dec 31	485,320	444,491	xxxxxxxxxxxxxxxx
2025/2026/2027 Budget Authority Amount	22,701,852	4,413,208	3,957,607
	Non-Appropriated Balance		
	Total Expenditure/Non-Appr Balance		3,957,607
	Tax Required		0
Delinquent Comp Rate:	3.0%		0
Amount of 2026 Ad Valorem Tax			0

Adopted Budget Library	Prior Year Actual for 2025	Current Year Estimate for 2026	Proposed Budget Year for 2027
Unencumbered Cash Balance Jan 1	0	39,160	45,131
Receipts:			
Ad Valorem Tax	248,993	289,385	xxxxxxxxxxxxxxxx
Delinquent Tax	15,459	8,000	
Motor Vehicle Tax	22,522	24,898	25,658
Recreational Vehicle Tax	217	254	249
16/20M Vehicle Tax	70	69	50
Commercial Vehicle Tax	848	1,015	1,040
Watercraft Tax	196	170	0
Vehicle Rental Excise Tax	854		951
Interest on Idle Funds			
Neighborhood Revitalization Rebate		-17,820	-15,207
Miscellaneous			
Does miscellaneous exceed 10% Total Rec			
Total Receipts	289,159	305,971	12,741
Resources Available:	289,159	345,131	57,872
Expenditures:			
Appropriation to Library Board	249,999	260,000	270,000
Library Maintenance		40,000	60,000
Miscellaneous			
Does miscellaneous exceed 10% Total Exp			
Total Expenditures	249,999	300,000	330,000
Unencumbered Cash Balance Dec 31	39,160	45,131	xxxxxxxxxxxxxxxx
2025/2026/2027 Budget Authority Amount	293,169	300,000	330,000
	Non-Appropriated Balance		16,864
	Total Expenditure/Non-Appr Balance		346,864
	Tax Required		288,992
Delinquent Comp Rate:	3.0%		8,670
Amount of 2026 Ad Valorem Tax			297,662

CPA Summary

City of Independence

2027

FUND PAGE FOR FUNDS WITH A TAX LEVY

Adopted Budget	Prior Year Actual for 2025	Current Year Estimate for 2026	Proposed Budget Year for 2027
Industrial			
Unencumbered Cash Balance Jan 1	422	1,143	0
Receipts:			
Ad Valorem Tax	23,574	26,682	xxxxxxxxxxxxxxxx
Delinquent Tax	1,687	500	
Motor Vehicle Tax	2,480	2,358	2,366
Recreational Vehicle Tax	24	24	23
16/20M Vehicle Tax	9	7	5
Commercial Vehicle Tax	90	96	96
Watercraft Tax	21	16	0
Vehicle Rental Excise Tax	98		88
Interest on Idle Funds	238	249	
Neighborhood Revitalization Rebate		-1,566	0
Miscellaneous		-2,009	
Does miscellaneous exceed 10% Total Receipts			
Total Receipts	28,221	26,357	2,578
Resources Available:	28,643	27,500	2,578
Expenditures:			
MCAC	25,000	25,000	
Chamber of Commerce	2,500	2,500	
Transfer to Eco/Devo			2,578
Cash Reserve (2027 column)			
Miscellaneous			
Does miscellaneous exceed 10% Total Expenditures			
Total Expenditures	27,500	27,500	2,578
Unencumbered Cash Balance Dec 31	1,143	0	xxxxxxxxxxxxxxxx
2025/2026/2027 Budget Authority Amount	27,500	29,000	2,578
	Non-Appropriated Balance		
	Total Expenditure/Non-Appr Balance		
		Tax Required	0
Delinquent Comp Rate:		3.0%	0
Amount of 2026 Ad Valorem Tax			0

Adopted Budget	Prior Year Actual for 2025	Current Year Estimate for 2026	Proposed Budget Year for 2027
Liability Insurance			
Unencumbered Cash Balance Jan 1	140,748	56,101	70,336
Receipts:			
Ad Valorem Tax	-26	77,028	xxxxxxxxxxxxxxxx
Delinquent Tax	3,048	1,000	
Motor Vehicle Tax	1,432		6,829
Recreational Vehicle Tax	9		66
16/20M Vehicle Tax	21		13
Commercial Vehicle Tax	3		277
Watercraft Tax	6		0
Vehicle Rental Excise	119		253
Other	3,384	30,728	
Interest on Idle Funds		2,000	
Neighborhood Revitalization Rebate		-4,521	-3,798
Miscellaneous			
Does miscellaneous exceed 10% Total Receipts			
Total Receipts	7,996	106,235	3,640
Resources Available:	148,744	162,336	73,976
Expenditures:			
Contractual Services	92,643	92,000	95,000
Cash Reserve (2027 column)			43,973
Miscellaneous			
Does miscellaneous exceed 10% Total Expenditures			
Total Expenditures	92,643	92,000	138,973
Unencumbered Cash Balance Dec 31	56,101	70,336	xxxxxxxxxxxxxxxx
2025/2026/2027 Budget Authority Amount	112,500	113,450	138,973
	Non-Appropriated Balance		
	Total Expenditure/Non-Appr Balance		
		Tax Required	72,250
Delinquent Comp Rate:		3.0%	2,168
Amount of 2026 Ad Valorem Tax			74,418

CPA Summary

City of Independence

2027

FUND PAGE FOR FUNDS WITH NO TAX LEVY

Adopted Budget Special Highway	Prior Year Actual for 2025	Current Year Estimate for 2026	Proposed Budget Year for 2027
Unencumbered Cash Balance Jan 1	10,093	108,611	108,611
Receipts:			
State of Kansas Gas Tax		230,950	221,100
County Transfers Gas		36,180	38,220
(Special Highway Tax) Connecting Link	480,940	94,000	94,000
Federal Funds Exchange		108,000	108,000
Interest on Idle Funds			
Miscellaneous			
Does miscellaneous exceed 10% Total Rec			
Total Receipts	480,940	469,130	461,320
Resources Available:	491,033	577,741	569,931
Expenditures:			
Transfers Out	382,422	469,130	569,931
Cash Reserve (2027 column)			
Miscellaneous			
Does miscellaneous exceed 10% Total Exp			
Total Expenditures	382,422	469,130	569,931
Unencumbered Cash Balance Dec 31	108,611	108,611	0
2025/2026/2027 Budget Authority Amount	550,000	469,130	569,931

0

Adopted Budget

Eco Dev & Transportation	Prior Year Actual for 2025	Current Year Estimate for 2026	Proposed Budget Year for 2027
Unencumbered Cash Balance Jan 1	1,258,953	1,227,355	1,072,695
Receipts:			
Franchise Tax	329,240	333,200	371,000
Transfers In	169,877	162,140	294,840
Interest on Idle Funds	176,183	100,000	100,000
Miscellaneous			
Does miscellaneous exceed 10% Total Rec			
Total Receipts	675,300	595,340	765,840
Resources Available:	1,934,253	1,822,695	1,838,535
Expenditures:			
Capital Outlay	256,898	150,000	228,000
Transfers Out	450,000	200,000	360,000
Transfers - Airport & Street		150,000	155,000
Neighborhood Exterior Grant		50,000	50,000
Downtown Building Grant		50,000	50,000
Labette Incentive		100,000	100,000
Kwikom Incentive		50,000	50,000
Cash Reserve (2027 column)			
Miscellaneous			
Does miscellaneous exceed 10% Total Exp			
Total Expenditures	706,898	750,000	993,000
Unencumbered Cash Balance Dec 31	1,227,355	1,072,695	845,535
2025/2026/2027 Budget Authority Amount	727,590	750,000	993,000

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CPA Summary

City of Independence

2027

FUND PAGE FOR FUNDS WITH NO TAX LEVY

Adopted Budget Special Alcohol	Prior Year Actual for 2025	Current Year Estimate for 2026	Proposed Budget Year for 2027
Unencumbered Cash Balance Jan 1	118,930	129,246	129,246
Receipts:			
Local Alcohol Liquor Tax	40,316	42,792	39,867
Interest on Idle Funds			
Miscellaneous			
Does miscellaneous exceed 10% Total Rec			
Total Receipts	40,316	42,792	39,867
Resources Available:	159,246	172,038	169,113
Expenditures:			
Contractual Services	30,000	30,000	30,000
Internal Project Funds		12,792	9,867
Cash Reserve (2027 column)			
Miscellaneous			
Does miscellaneous exceed 10% Total Exp			
Total Expenditures	30,000	42,792	39,867
Unencumbered Cash Balance Dec 31	129,246	129,246	129,246
2025/2026/2027 Budget Authority Amount	43,978	42,792	39,867

Adopted Budget

Education Sales Tax	Prior Year Actual for 2025	Current Year Estimate for 2026	Proposed Budget Year for 2027
Unencumbered Cash Balance Jan 1	0	427,829	427,829
Receipts:			
Sales Tax	2,654,733	2,500,000	2,600,000
Interest on Idle Funds			
Miscellaneous			
Does miscellaneous exceed 10% Total Rec			
Total Receipts	2,654,733	2,500,000	2,600,000
Resources Available:	2,654,733	2,927,829	3,027,829
Expenditures:			
Contractual Services	1,977,504	2,247,650	3,027,829
Transfers Out	249,400	252,350	
Cash Reserve (2027 column)			
Miscellaneous			
Does miscellaneous exceed 10% Total Exp			
Total Expenditures	2,226,904	2,500,000	3,027,829
Unencumbered Cash Balance Dec 31	427,829	427,829	0
2025/2026/2027 Budget Authority Amount	2,500,000	2,500,000	3,027,829

CPA Summary

City of Independence

2027

FUND PAGE FOR FUNDS WITH NO TAX LEVY

Adopted Budget	Prior Year	Current Year	Proposed Budget
Special Park & Recreation	Actual for 2025	Estimate for 2026	Year for 2027
Unencumbered Cash Balance Jan 1	85,197	70,706	16,472
Receipts:			
Local Alcohol Liquor Tax	46,059	42,792	39,867
Other Income (County Distribution)		8,974	7,000
Interest on Idle Funds	2,402	2,000	1,500
Miscellaneous			
Does miscellaneous exceed 10% Total Rec			
Total Receipts	48,461	53,766	48,367
Resources Available:	133,658	124,472	64,839
Expenditures:			
Contractual Services	62,952		
Ash Youth Center		24,000	24,000
Aquatic Center Losses		21,000	20,000
Aquatic Center Projects			20,000
Park Capital Project		63,000	0
Cash Reserve (2027 column)			839
Miscellaneous			
Does miscellaneous exceed 10% Total Exp			
Total Expenditures	62,952	108,000	64,839
Unencumbered Cash Balance Dec 31	70,706	16,472	0
2025/2026/2027 Budget Authority Amount	62,952	108,000	64,839

Adopted Budget

	Prior Year	Current Year	Proposed Budget
Fight Addiction Fund	Actual for 2025	Estimate for 2026	Year for 2027
Unencumbered Cash Balance Jan 1	53,043	70,242	62,805
Receipts:			
Settlement Proceeds	15,175	20,000	15,000
Interest on Idle Funds	2,024	1,000	2,000
Miscellaneous			
Does miscellaneous exceed 10% Total Rec			
Total Receipts	17,199	21,000	17,000
Resources Available:	70,242	91,242	79,805
Expenditures:			
Project Costs		28,437	79,805
Cash Reserve (2027 column)			
Miscellaneous			
Does miscellaneous exceed 10% Total Exp			
Total Expenditures	0	28,437	79,805
Unencumbered Cash Balance Dec 31	70,242	62,805	0
2025/2026/2027 Budget Authority Amount	66,106	28,437	79,805

CPA Summary

City of Independence

2027

FUND PAGE FOR FUNDS WITH NO TAX LEVY

Adopted Budget Special Use Sales Tax (2023-2033)	Prior Year Actual for 2025	Current Year Estimate for 2026	Proposed Budget Year for 2027
Unencumbered Cash Balance Jan 1	0	0	0
Receipts:			
Sales Tax	2,654,733	2,500,000	2,600,000
Interest on Idle Funds			
Miscellaneous			
Does miscellaneous exceed 10% Total Rec			
Total Receipts	2,654,733	2,500,000	2,600,000
Resources Available:	2,654,733	2,500,000	2,600,000
Expenditures:			
Transfers	2,654,733	2,500,000	2,600,000
Cash Reserve (2027 column)			
Miscellaneous			
Does miscellaneous exceed 10% Total Exp			
Total Expenditures	2,654,733	2,500,000	2,600,000
Unencumbered Cash Balance Dec 31	0	0	0
2025/2026/2027 Budget Authority Amount	2,700,000	2,500,000	2,600,000

Adopted Budget

0	Prior Year Actual for 2025	Current Year Estimate for 2026	Proposed Budget Year for 2027
Unencumbered Cash Balance Jan 1		0	0
Receipts:			
Interest on Idle Funds			
Miscellaneous			
Does miscellaneous exceed 10% Total Rec			
Total Receipts	0	0	0
Resources Available:	0	0	0
Expenditures:			
Cash Reserve (2027 column)			
Miscellaneous			
Does miscellaneous exceed 10% Total Exp			
Total Expenditures	0	0	0
Unencumbered Cash Balance Dec 31	0	0	0
2025/2026/2027 Budget Authority Amount	0	0	0

CPA Summary

City of Independence

2027

FUND PAGE FOR FUNDS WITH NO TAX LEVY

Adopted Budget Airport	Prior Year Actual for 2025	Current Year Estimate for 2026	Proposed Budget Year for 2027
Unencumbered Cash Balance Jan 1	49,257	7,398	0
Receipts:			
Fuel Sales	477,461	525,000	545,000
Rents	108,571	135,760	144,000
Reimbursed Funds	563		
Transfers In	125,000		
Charges for Services			
Interest on Idle Funds	860	1,000	500
Miscellaneous	2,938	4,000	4,000
Does miscellaneous exceed 10% Total Rec			
Total Receipts	715,393	665,760	693,500
Resources Available:	764,650	673,158	693,500
Expenditures:			
Salaries & Wages	114,970	119,603	120,839
Contractual Services	583,142	531,904	537,940
Commodities	49,489	31,500	27,500
Capital Outlay	-9,646		
Finance Lease Payments	19,297		
Reductions		-9,849	
Cash Reserve (2027 column)			
Miscellaneous			
Does miscellaneous exceed 10% Total Exp			
Total Expenditures	757,252	673,158	686,279
Unencumbered Cash Balance Dec 31	7,398	0	7,221
2025/2026/2027 Budget Authority Amount	894,852	683,007	686,279

CPA Summary

City of Independence

2027

FUND PAGE FOR FUNDS WITH NO TAX LEVY

Adopted Budget Water & Sewer	Prior Year Actual for 2025	Current Year Estimate for 2026	Proposed Budget Year for 2027
Unencumbered Cash Balance Jan 1	1,727,404	1,144,597	600,927
Receipts:			
Water Sales	3,449,752	3,807,208	3,898,206
Sewer Charges	2,412,066	2,525,000	2,525,000
Late Fees	91,875	90,000	90,000
Turn On & Turn Off	55,099	50,000	50,000
Chare Offs and Recoveries	(17,319)	0	
Reimbursed Expense	1,670		
Charges for Services			
Interest on Idle Funds	82,834	75,000	50,000
Miscellaneous	361,961	87,792	95,794
Does miscellaneous exceed 10% Total Rec			
Total Receipts	6,437,938	6,635,000	6,709,000
Resources Available:	8,165,342	7,779,597	7,309,927
Expenditures:			
Personal Services - Water Production	563,629	561,991	544,758
Contractual Services - Water Production	397,370	436,700	660,500
Commodities - Water Production	745,365	786,500	754,000
Capital Outlay - Water Production	258,361		
Personal Services - Water Distribution	542,199	661,860	667,385
Contractual Services - Water Distribution	297,444	269,000	257,000
Commodities - Water Distribution	298,789	398,000	409,000
Capital Outlay - Water Distribution		85,000	
Personal Services - Sewer Treatment	159,051	202,322	209,289
Contractual Services - Sewer Treatment	232,279	217,000	244,155
Commodities - Sewer Treatment	19,417	67,000	35,250
Capital Outlay - Sewer Treatment			30,000
Contractual Services - Sewer Collections	30,524	91,500	88,000
Commodities - Sewer Collections	65,713	76,500	73,500
Capital Outlay - Sewer Collections			
Personal Services - Water/Sewer Admin	445,070	411,846	440,237
Contractual Services - Water/Sewer Admin	586,372	642,342	389,352
Commodities - Water/Sewer Admin	32,770	20,500	21,500
Debt Services	517,471	685,039	685,039
Transfers Out	1,828,921	1,565,570	1,581,900
Cash Reserve (2027 column)			
Miscellaneous			
Does miscellaneous exceed 10% Total Exp			
Total Expenditures	7,020,745	7,178,670	7,090,865
Unencumbered Cash Balance Dec 31	1,144,597	600,927	219,062
2025/2026/2027 Budget Authority Amount	7,496,768	7,178,670	7,090,865

CPA Summary

City of Independence

2027

FUND PAGE FOR FUNDS WITH NO TAX LEVY

Adopted Budget Sanitation	Prior Year Actual for 2025	Current Year Estimate for 2026	Proposed Budget Year for 2027
Unencumbered Cash Balance Jan 1	229,194	-54,569	0
Receipts:			
Trash Collections	1,261,638	1,332,500	1,386,000
Charge Offs and Recoveries	-2,581		
Other Charges	5,764	2,000	2,000
Finance Lease Proceeds	247,355		
Interest on Idle Funds	6,894	8,000	
Miscellaneous			
Does miscellaneous exceed 10% Total Rec			
Total Receipts	1,519,070	1,342,500	1,388,000
Resources Available:	1,748,264	1,287,931	1,388,000
Expenditures:			
Salaries & Wages	683,800	567,836	597,909
Contractual Services	556,068	551,340	508,240
Commodities	114,855	94,500	89,500
Capital Outlay	245,511		
Finance Lease Payment	133,684	173,685	188,833
Transfers Out	68,915		
Cash Reserve (2027 column)			
Miscellaneous		-99,430	
Does miscellaneous exceed 10% Total Exp			
Total Expenditures	1,802,833	1,287,931	1,384,482
Unencumbered Cash Balance Dec 31	-54,569	0	3,518
2025/2026/2027 Budget Authority Amount	2,035,467	1,387,361	1,384,482

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CPA Summary	<u>See Tab B</u>
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City of Independence

NON-BUDGETED FUNDS (A)
(Only the actual budget year for 2025 is reported)

2027

Non-Budgeted Funds-A

(1) Fund Name:		(2) Fund Name:		(3) Fund Name:		(4) Fund Name:		(5) Fund Name:		
Special Park		Crime Prevention		Law Enforcement Trust		owntown Tree Replacem		Demolition		
Unencumbered		Unencumbered		Unencumbered		Unencumbered		Unencumbered		Total
Cash Balance Jan 1	70,271	Cash Balance Jan 1	589	Cash Balance Jan 1	13,658	Cash Balance Jan 1	16,798	Cash Balance Jan 1	2,882	104,198
Receipts:		Receipts:		Receipts:		Receipts:		Receipts:		
Interest Income	3,192	Interest Income		Interest Income	516	Interest Income	598	Interest Income		
Rents		Rents		Rents		Rents		Rents		
Reimbursed Expense		Reimbursed Expense		Reimbursed Expense		Reimbursed Expense		Reimbursed Expense		
Donations	51,451	Donations		Donations		Donations		Donations		
Miscellaneous	40	Miscellaneous	4	Miscellaneous	737	Miscellaneous		Miscellaneous	70,386	
Transfers In		Transfers In		Transfers In		Transfers In		Transfers In	75,000	
Total Receipts	54,683	Total Receipts	4	Total Receipts	1,253	Total Receipts	598	Total Receipts	145,386	201,924
Resources Available:	124,954	Resources Available:	593	Resources Available:	14,911	Resources Available:	17,396	Resources Available:	148,268	306,122
Expenditures:		Expenditures:		Expenditures:		Expenditures:		Expenditures:		
Contractual Services		Contractual Services		Contractual Services		Contractual Services		Contractual Services		
Commodities		Commodities		Commodities		Commodities		Commodities		
Capital Outlay	12,674	Capital Outlay		Capital Outlay		Capital Outlay		Capital Outlay	122,141	
Transfers Out		Transfers Out		Transfers Out		Transfers Out		Transfers Out		
Total Expenditures	12,674	Total Expenditures	0	Total Expenditures	0	Total Expenditures	0	Total Expenditures	122,141	134,815
Cash Balance Dec 31	112,280	Cash Balance Dec 31	593	Cash Balance Dec 31	14,911	Cash Balance Dec 31	17,396	Cash Balance Dec 31	26,127	171,307 **
									171,307	**

**Note: These two block figures should agree.

CPA Summary

City of Independence

NON-BUDGETED FUNDS (B)
(Only the actual budget year for 2025 is reported)

2027

Non-Budgeted Funds-B

(1) Fund Name:		(2) Fund Name:		(3) Fund Name:		(4) Fund Name:		(5) Fund Name:		
Memorial Hall		E-911 (Old)		E-911 (New)		Incubator Building		Logan Fountain		
Unencumbered		Unencumbered		Unencumbered		Unencumbered		Unencumbered		Total
Cash Balance Jan 1	14,645	Cash Balance Jan 1	4,697	Cash Balance Jan 1	293,345	Cash Balance Jan 1	130,795	Cash Balance Jan 1	124	443,606
Receipts:		Receipts:		Receipts:		Receipts:		Receipts:		
Interest Income		Interest Income		Interest Income	9,364	Interest Income		Interest Income		
Rents		Rents		Rents		Rents	34,045	Rents		
Reimbursed Expense		Reimbursed Expense		Reimbursed Expense		Reimbursed Expense		Reimbursed Expense		
Donations		Donations		Donations		Donations		Donations		
Miscellaneous		Miscellaneous		Miscellaneous	138,927	Miscellaneous		Miscellaneous		
Transfers In		Transfers In		Transfers In		Transfers In		Transfers In		
Total Receipts	0	Total Receipts	0	Total Receipts	148,291	Total Receipts	34,045	Total Receipts	0	182,336
Resources Available:	14,645	Resources Available:	4,697	Resources Available:	441,636	Resources Available:	164,840	Resources Available:	124	625,942
Expenditures:		Expenditures:		Expenditures:		Expenditures:		Expenditures:		
Contractual Services		Contractual Services		Contractual Services	187,628	Contractual Services		Contractual Services		
Commodities		Commodities		Commodities	57,894	Commodities		Commodities		
Capital Outlay		Capital Outlay		Capital Outlay	112,312	Capital Outlay		Capital Outlay		
Transfers Out		Transfers Out		Transfers Out		Transfers Out	37,140	Transfers Out		
Total Expenditures	0	Total Expenditures	0	Total Expenditures	357,834	Total Expenditures	37,140	Total Expenditures	0	394,974
Cash Balance Dec 31	14,645	Cash Balance Dec 31	4,697	Cash Balance Dec 31	83,802	Cash Balance Dec 31	127,700	Cash Balance Dec 31	124	230,968 **
									230,968 **	

**Note: These two block figures should agree.

CPA Summary

City of Independence

NON-BUDGETED FUNDS (C)
(Only the actual budget year for 2025 is reported)

2027

Non-Budgeted Funds-C

(1) Fund Name:		(2) Fund Name:		(3) Fund Name:		(4) Fund Name:		(5) Fund Name:		
City Grants		Land Bank		Employee Wellness		Fire/EMS Grant		Walmart Grant		
Unencumbered		Unencumbered		Unencumbered		Unencumbered		Unencumbered		Total
Cash Balance Jan 1	359,727	Cash Balance Jan 1	34,681	Cash Balance Jan 1	62,236	Cash Balance Jan 1	2,348	Cash Balance Jan 1	3,046	462,038
Receipts:		Receipts:		Receipts:		Receipts:		Receipts:		
Interest Income		Interest Income	1,220	Interest Income	3,093	Grants	31,662	Grants		
Rents		Rents		Rents		Donations	26,300	Donations		
Reimbursed Expense		Reimbursed Expense		Reimbursed Expense	609	Transfers in		Transfers in		
Donations		Donations		Donations						
Miscellaneous		Miscellaneous		Miscellaneous	69,888					
Transfers In	200,000	Transfers In		Transfers In						
Total Receipts	200,000	Total Receipts	1,220	Total Receipts	73,590	Total Receipts	57,962	Total Receipts	0	332,772
Resources Available:	559,727	Resources Available:	35,901	Resources Available:	135,826	Resources Available:	60,310	Resources Available:	3,046	794,810
Expenditures:		Expenditures:		Expenditures:		Expenditures:		Expenditures:		
Contractual Services		Contractual Services		Contractual Services	5,470	Capital outlay	59,396	Capital outlay		
Commodities		Commodities	1,341	Commodities						
Capital Outlay	99,997	Capital Outlay		Capital Outlay						
Transfers Out		Transfers Out		Transfers Out						
Total Expenditures	99,997	Total Expenditures	1,341	Total Expenditures	5,470	Total Expenditures	59,396	Total Expenditures	0	166,204
Cash Balance Dec 31	459,730	Cash Balance Dec 31	34,560	Cash Balance Dec 31	130,356	Cash Balance Dec 31	914	Cash Balance Dec 31	3,046	628,606 **
										628,606 **

**Note: These two block figures should agree.

CPA Summary

City of Independence

NON-BUDGETED FUNDS (D)
(Only the actual budget year for 2025 is reported)

2027

Non-Budgeted Funds-D

(1) Fund Name:		(2) Fund Name:		(3) Fund Name:		(4) Fund Name:		(5) Fund Name:		
Federal Grants		General Capital Reserve		Streets Capital Reserve		Airport Capital Reserve		Water/Sewer Capital Reserve		Total
Unencumbered		Unencumbered		Unencumbered		Unencumbered		Unencumbered		
Cash Balance Jan 1	-268,569	Cash Balance Jan 1	511,367	Cash Balance Jan 1	1,791,174	Cash Balance Jan 1	313,146	Cash Balance Jan 1	5,672,001	8,019,119
Receipts:		Receipts:		Receipts:		Receipts:		Receipts:		
Grants	708,107	Special Highway Tax		Special Highway Tax	800,000	Special Highway Tax		Special Highway Tax		
Donations		Grants		Grants		Grants	50,736	Grants		
Transfers in	155,000	Interest Income	11,337	Interest Income	101,215	Interest Income	8,374	Interest Income	215,035	
		Reimbursements	391,270	Reimbursements	54,902	Reimbursements	287,229	Reimbursements		
		Transfers In	377,640	Transfers In	1,399,200	Transfers In		Transfers In	2,675,000	
Total Receipts	863,107	Total Receipts	780,247	Total Receipts	2,355,317	Total Receipts	346,339	Total Receipts	2,890,035	7,235,045
Resources Available:	594,538	Resources Available:	1,291,614	Resources Available:	4,146,491	Resources Available:	659,485	Resources Available:	8,562,036	15,254,164
Expenditures:		Expenditures:		Expenditures:		Expenditures:		Expenditures:		
Capital Outlay	475,204	Capital Outlay	766,554	Capital Outlay	581,688	Capital Outlay	661,953	Capital Outlay	2,251,265	
		Finance Lease Payment	119,596	Finance Lease Payment		Finance Lease Payment		Finance Lease Payment		
		Transfers Out		Transfers Out	625,000	Transfers Out		Transfers Out	2,732,207	
Total Expenditures	475,204	Total Expenditures	886,150	Total Expenditures	1,206,688	Total Expenditures	661,953	Total Expenditures	4,983,472	8,213,467
Cash Balance Dec 31	119,334	Cash Balance Dec 31	405,464	Cash Balance Dec 31	2,939,803	Cash Balance Dec 31	-2,468	Cash Balance Dec 31	3,578,564	7,040,697 **
See Tab B									7,040,697 **	

**Note: The two bold yellow figures should agree.

CPA Summary

City of Independence

NON-BUDGETED FUNDS (E)
(Only the actual budget year for 2025 is reported)

2027

Non-Budgeted Funds-E

(1) Fund Name:		(2) Fund Name:		(3) Fund Name:		(4) Fund Name:		(5) Fund Name:		
Wastewater Treatment Facility Upgrade		City Projects		Donnell/Chestnut-Oak Project		2025-2016 KLINK Project		Curb Ramps Project		
Unencumbered		Unencumbered		Unencumbered		Unencumbered		Unencumbered		Total
Cash Balance Jan 1	-13,559	Cash Balance Jan 1	1,206,721	Cash Balance Jan 1	34,943	Cash Balance Jan 1	318,879	Cash Balance Jan 1	740,799	2,287,783
Receipts:		Receipts:		Receipts:		Receipts:		Receipts:		
Donations		Donations	40,000	Donations		Donations		Donations		
Miscellaneous		Miscellaneous	1,918,246	Miscellaneous		Miscellaneous		Miscellaneous		
Debt Proceeds		Debt Proceeds		Debt Proceeds		Debt Proceeds		Debt Proceeds		
Transfers In		Transfers In	1,568,568	Transfers In		Transfers In		Transfers In		
Total Receipts	0	Total Receipts	3,526,814	Total Receipts	0	Total Receipts	0	Total Receipts	0	3,526,814
Resources Available:	-13,559	Resources Available:	4,733,535	Resources Available:	34,943	Resources Available:	318,879	Resources Available:	740,799	5,814,597
Expenditures:		Expenditures:		Expenditures:		Expenditures:		Expenditures:		
Capital Outlay		Capital Outlay	4,533,673	Capital Outlay		Capital Outlay		Capital Outlay	10,325	
Transfer Out		Transfer Out	231,732	Transfer Out		Transfer Out		Transfer Out		
Total Expenditures	0	Total Expenditures	4,765,405	Total Expenditures	0	Total Expenditures	0	Total Expenditures	10,325	4,775,730
Cash Balance Dec 31	-13,559	Cash Balance Dec 31	-31,870	Cash Balance Dec 31	34,943	Cash Balance Dec 31	318,879	Cash Balance Dec 31	730,474	1,038,867 **
<u>See Tab B</u>		<u>See Tab B</u>								1,038,867 **

**Note: The two bold yellow figures should agree.

CPA Summary

City of Independence

NON-BUDGETED FUNDS (F)
(Only the actual budget year for 2025 is reported)

2027

Non-Budgeted Funds-F

(1) Fund Name:		(2) Fund Name:		(3) Fund Name:		(4) Fund Name:		(5) Fund Name:		
PC LoanC20 2043 Proj		12" Bartlett Pipeline		KPWSL #3058 Waterline		Grinder Pump Replaceme		Fire Insurance Proceeds		
Unencumbered		Unencumbered		Unencumbered		Unencumbered		Unencumbered		Total
Cash Balance Jan 1	-1,375,349	Cash Balance Jan 1	3,982,992	Cash Balance Jan 1	-163,725	Cash Balance Jan 1	311,514	Cash Balance Jan 1	37,780	2,793,212
Receipts:		Receipts:		Receipts:		Receipts:		Receipts:		
Donations		Donations		Donations		Sewer Charges	9,303			
Miscellaneous		Miscellaneous		Miscellaneous		Fees	25			
Debt Proceeds		Debt Proceeds		Debt Proceeds	11,232	Interest	11,924			
Transfers In	1,357,207	Transfers In		Transfers In						
Total Receipts	1,357,207	Total Receipts	0	Total Receipts	11,232	Total Receipts	21,252	Total Receipts	0	1,389,691
Resources Available:	-18,142	Resources Available:	3,982,992	Resources Available:	-152,493	Resources Available:	332,766	Resources Available:	37,780	4,182,903
Expenditures:		Expenditures:		Expenditures:		Expenditures:		Expenditures:		
Capital Outlay	93,819	Capital Outlay	1,606,624	Capital Outlay	76,919	Commodities		Disbursements	26,550	
Transfer Out		Transfer Out		Transfer Out						
Total Expenditures	93,819	Total Expenditures	1,606,624	Total Expenditures	76,919	Total Expenditures	0	Total Expenditures	26,550	1,803,912
Cash Balance Dec 31	-111,961	Cash Balance Dec 31	2,376,368	Cash Balance Dec 31	-229,412	Cash Balance Dec 31	332,766	Cash Balance Dec 31	11,230	2,378,991 **
<u>See Tab B</u>		<u>See Tab B</u>		<u>See Tab B</u>		<u>See Tab B</u>		<u>See Tab B</u>		2,378,991 **

**Note: The two bold yellow figures should agree.

CPA Summary

City of Independence

NON-BUDGETED FUNDS (G)
(Only the actual budget year for 2025 is reported)

2027

Non-Budgeted Funds-G

(1) Fund Name:		(2) Fund Name:		(3) Fund Name:		(4) Fund Name:		(5) Fund Name:		
Alcohol Assessment		First Aid Training								
Unencumbered		Unencumbered		Unencumbered		Unencumbered		Unencumbered		Total
Cash Balance Jan 1	3,820	Cash Balance Jan 1	1,161	Cash Balance Jan 1		Cash Balance Jan 1		Cash Balance Jan 1		4,981
Receipts:		Receipts:		Receipts:		Receipts:		Receipts:		
		Receipts	1,528							
Total Receipts	0	Total Receipts	1,528	Total Receipts	0	Total Receipts	0	Total Receipts	0	1,528
Resources Available:	3,820	Resources Available:	2,689	Resources Available:	0	Resources Available:	0	Resources Available:	0	6,509
Expenditures:		Expenditures:		Expenditures:		Expenditures:		Expenditures:		
		Dispersments	1,111							
Total Expenditures	0	Total Expenditures	1,111	Total Expenditures	0	Total Expenditures	0	Total Expenditures	0	1,111
Cash Balance Dec 31	3,820	Cash Balance Dec 31	1,578	Cash Balance Dec 31	0	Cash Balance Dec 31	0	Cash Balance Dec 31	0	5,398 **
									5,398	**

**Note: The two bold yellow figures should agree.

CPA Summary

NOTICE OF HEARING TO EXCEED REVENUE NEUTRAL RATE AND BUDGET HEARING

2027

The governing body of
City of Independence

will meet on September 10, 2026 at 5:30 PM at City Hall, 120 N 6th St. for the purpose of hearing and answering objections of taxpayers relating to the proposed use of all funds and the amount of ad valorem tax. Detailed budget information is available at City Hall, 120 N 6th St. and will be available at this hearing.

BUDGET SUMMARY

Proposed Budget 2027 Expenditures and Amount of 2026 Ad Valorem Tax establish the maximum limits of the 2027 budget. Estimated Tax Rate is subject to change depending on the final assessed valuation.

FUND	Prior Year Actual for 2025		Current Year Estimate for 2026		Proposed Budget Year for 2027		
	Expenditures	Actual Tax Rate *	Expenditures	Actual Tax Rate *	Budget Authority for Expenditures	Amount of 2026 Ad Valorem Tax	Proposed Estimated Tax Rate *
General	11,162,385	49.422	11,266,609	48.362	11,368,193	3,630,859	48.795
Debt Service	16,452,062		4,413,208		3,957,607		
Library	249,999	3.960	300,000	4.003	330,000	297,662	4.000
Industrial	27,500	0.375	27,500	0.369	2,578		
Liability Insurance	92,643		92,000	1.065	138,973	74,418	1.000
Special Highway	382,422		469,130		569,931		
Eco Dev & Transportation	706,898		750,000		993,000		
Special Alcohol	30,000		42,792		39,867		
Education Sales Tax	2,226,904		2,500,000		3,027,829		
Special Park & Recreation	62,952		108,000		64,839		
Fight Addiction Fund			28,437		79,805		
Special Use Sales Tax (2023-2033)	2,654,733		2,500,000		2,600,000		
Airport	757,252		673,158		686,279		
Water & Sewer	7,020,745		7,178,670		7,090,865		
Sanitation	1,802,833		1,287,931		1,384,482		
Non-Budgeted Funds-A	134,815						
Non-Budgeted Funds-B	394,974						
Non-Budgeted Funds-C	166,204						
Non-Budgeted Funds-D	8,213,467						
Non-Budgeted Funds-E	4,775,730						
Non-Budgeted Funds-F	1,803,912						
Non-Budgeted Funds-G	1,111						
Totals	59,119,541	53.757	31,637,435	53.799	32,334,248	4,002,939	53.795
<i>Revenue Neutral Rate**</i>							<i>52.269</i>
Less: Transfers	6,963,572		6,502,572		6,617,276		
Net Expenditure	52,155,969		25,134,863		25,716,972		
Total Tax Levied	3,889,326		3,889,326		xxxxxxxxxxxxxxxx		
Assessed							
Valuation	72,293,465		72,293,465		74,409,735		
Outstanding Indebtedness,							
January 1,	<u>2024</u>		<u>2025</u>		<u>2026</u>		
G.O. Bonds	25,825,000		29,285,000		28,385,000		
Revenue Bonds	26,480,000		30,655,000		30,655,000		
Other	3,175,207		6,251,576		5,687,240		
Lease Purchase Principal	506,090		734,518		891,873		
Total	55,986,297		66,926,094		65,619,113		

*Tax rates are expressed in mills

**Revenue Neutral Rate as defined by KSA 79-2988

City of Independence

City Official Title: Finance Director

NOTICE OF HEARING TO EXCEED REVENUE NEUTRAL RATE AND BUDGET HEARING

2027

The governing body of
City of Independence
will meet on September 10, 2026 at 5:30 PM at City Hall, 120 N 6th St. for the purpose of hearing and
answering objections of taxpayers relating to the proposed use of all funds and the amount of ad valorem tax.
Detailed budget information is available at City Hall, 120 N 6th St. and will be available at this hearing.

BUDGET SUMMARY

Proposed Budget 2027 Expenditures and Amount of 2026 Ad Valorem Tax establish the maximum limits of the 2027 budget.
Estimated Tax Rate is subject to change depending on the final assessed valuation.

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Debt Service	16,452,062		4,413,208		3,957,607		
Library	249,999	3.960	300,000	4.003	330,000	297,662	4.000
Industrial	27,500	0.375	27,500	0.369	2,578		
Liability Insurance	92,643		92,000	1.065	138,973	74,418	1.000
Special Highway	382,422		469,130		569,931		
Eco Dev & Transportation	706,898		750,000		993,000		
Special Alcohol	30,000		42,792		39,867		
Education Sales Tax	2,226,904		2,500,000		3,027,829		
Special Park & Recreation	62,952		108,000		64,839		
Fight Addiction Fund			28,437		79,805		
Special Use Sales Tax (2023-2033)	2,654,733		2,500,000		2,600,000		
Airport	757,252		673,158		686,279		
Water & Sewer	7,020,745		7,178,670		7,090,865		
Sanitaton	1,802,833		1,287,931		1,384,482		
Non-Budgeted Funds-A	134,815						
Non-Budgeted Funds-B	394,974						
Non-Budgeted Funds-C	166,204						
Non-Budgeted Funds-D	8,213,467						
Non-Budgeted Funds-E	4,775,730						
Non-Budgeted Funds-F	1,803,912						
Non-Budgeted Funds-G	1,111						
Totals	59,119,541	53.757	31,637,435	53.799	32,334,248	4,002,939	53.795
Revenue Neutral Rate**							52.269
Less: Transfers	6,963,572		6,502,572		6,617,276		
Net Expenditure	52,155,969		25,134,863		25,716,972		
Total Tax Levied	3,889,326		3,889,326		xxxxxxxxxxxxxxxxxxx		
Assessed Valuation	72,293,465		72,293,465		74,409,735		
Outstanding Indebtedness, January 1,	2024		2025		2026		
G.O. Bonds	25,825,000		29,285,000		28,385,000		
Revenue Bonds	26,480,000		30,655,000		30,655,000		
Other	3,175,207		6,251,576		5,687,240		
Lease Purchase Principal	506,090		734,518		891,873		
Total	55,986,297		66,926,094		65,619,113		

*Tax rates are expressed in mills
**Revenue Neutral Rate as defined by KSA 79-2988

City of Independence
City Official Title: Finance Director



REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
September 10, 2026

Department Admin

Director Approval David Cowan

AGENDA ITEM Public Hearing to consider the condemnation of 308 S. 15th Street as dangerous and unsafe.

SUMMARY RECOMMENDATION City Staff recommends condemnation as dangerous and unsafe.

BACKGROUND The structure at 308 S 15th Street has been reported to the City as being in a deteriorated condition and without utility service since 12/31//2018. City staff has had no contact with the owner and would recommend condemnation as dangerous and unsafe.

FINANCIAL INFORMATION The cost of removal if the owner fails to commence repair or removal of the structure.

SUGGESTED MOTION I move to adopt a resolution condemning 308 S 15th Street as dangerous and unsafe.

SUPPORTING DOCUMENTS

1. RESOLUTION 2026-124 - CONDEMNATION - DAYS - 308 S 15th
2. 308S15th-Photos
3. 2026 - Notice of Public Hearing Date - 1st Letter - Cert - 07092026
4. 2026-080 - Condemnation - P_H - 308 S 15th
5. 2026 - Setting Date of Public Hearing
6. 3196488_OE_Report
7. Parcel - 308 S 15th

RESOLUTION NO. 2026-124

A RESOLUTION FINDING THAT THE STRUCTURE, OR STRUCTURES, LOCATED ON THE FOLLOWING TRACT/PARCEL IN THE CITY OF INDEPENDENCE, MONTGOMERY COUNTY, KANSAS, IS UNSAFE AND DANGEROUS AND ORDERED CONDEMNED AND DIRECTING SAID STRUCTURE, OR STRUCTURES, TO BE REPAIRED OR REMOVED AND THE PREMISES MADE SAFE AND SECURE. SAID REPAIR OR REMOVAL WILL COMMENCE WITHIN **30 DAYS** OF THE PUBLICATION OF THIS RESOLUTION.

Legal Description

Lot 37, Glenwood Addition to the City of Independence, Montgomery County, Kansas

Common Address

308 S 15th St

Mortgage

WHEREAS, the Building Inspector of the City of Independence, Kansas, did on the 9th day of July 2026, file with the Governing body of said City, a statement in writing that the structure, or structures, located on the above described tract/parcel is unsafe and/or dangerous; and

WHEREAS, the Governing body did by **Res. #2026—080**, dated **July 9, 2026**, fix a time and place of hearing at which time the owner, his or her agent, any lien holders of record and any occupant of such structure, or structures, could appear and show cause why such structure, or structures, should not be condemned and ordered repaired and/or demolished and further provided for the giving of notice thereof as provided by law; and

WHEREAS, such resolution was published in the official city newspaper on **July 15, 2026 and July 22, 2026**, a copy of such resolution and notice was mailed to the owner, his or her agent; any lien holders of record and any occupant of the structure, or structures, at his or her last known place of residence, at which hearing the governing body heard all persons and considered all evidence presented by interested parties, including the Building Inspector of the City of Independence, Kansas.

NOW, THEREFORE, be it resolved by the Governing Body of the City of Independence, Kansas:

The said governing body hereby finds that the structure, or structures, located on the following described tract/parcel in the City of Independence, Montgomery County, Kansas:

Legal Description

Lot 37, Glenwood Addition to the City of Independence, Montgomery County, Kansas

Common Address

308 S 15th St

Mortgage

Is unsafe and dangerous and constitutes a blight and therefore should be and is hereby condemned and it is hereby directed that such structure, or structures, be repaired or removed and the premises made safe and secure. The owner of the structure, or structures, is hereby given **30 days** from the publication of this resolution within which to commence such repair or removal and the premises made safe and secure. If the owner of such structure, or structures fails to diligently prosecute the same until the work is completed, said governing body will cause the structure, or structures, to be razed and removed, in order to make the premises safe and secure.

BE IT FURTHER RESOLVED, that the City Clerk shall cause this resolution to be published once in the official city newspaper and a copy mailed to the owner, his or her agent, lien holders and occupants as provided by law and a copy of said resolution shall be filed with the Montgomery County Register of Deeds.

Adopted this 10th day of September, 2026.

(SEAL)

Mayor

City Clerk

Consider setting the date of September 10, 2026 at 5:30 PM for a Public Hearing to consider the condemnation of 308 S. 15th Street as dangerous and unsafe.



SUGGESTED MOTION: I move to adopt a resolution scheduling a Public Hearing on September 10, 2026, at 5:30 PM to consider the condemnation of 308 S 15th Street as dangerous and unsafe.



NOTICE OF PUBLIC HEARING TO CONSIDER CONDEMNATION OF PROPERTY

Date: July 22, 2026

TO:

Rusty Winebrenner
304 S. 15th
Independence, Ks. 67301

Lien Holder:

RE: Unsafe or Dangerous Structure at: **308 S. 15th**

Property records reflect that you are the owner or occupant of the above-described Property. This letter is being provided to you pursuant to K.S.A. 12-1751 et seq to advise you that staff for the City of Independence, Kansas, has determined that the Property is “unsafe or dangerous” and subject to condemnation or being ordered to be repaired or demolished.

On **July 09, 2026**, the City Commission adopted a Resolution for a public hearing to be held on **September 10, 2026, at 120 N. 6th Street**, Commission Room, Independence, Kansas 67301. The public hearing will commence at 5:30 p.m. At such hearing, the owner of the Property, the owner’s agent, lienholders or record, and any occupant may appear and show cause why the structure(s) on the Property should not be condemned and ordered repaired or demolished.

On the date of the hearing, the Governing Body shall hear the evidence (if any) presented. If the Governing Body finds that the Property is unsafe or dangerous, then the Governing Body may direct the structure(s) to be repaired or removed and the Property made safe and secure. The Governing Body shall also fix a reasonable time within which the repair or removal shall be commenced and, if the owner fails to commence the repair or removal within the time stated, or fails to diligently prosecute the same to completion, the Governing Body will cause the structure to be repaired or razed and removed.

Please contact us as soon as possible so that we may review the steps that must be undertaken to bring the Property into compliance and no longer be regarded as unsafe or dangerous. To that end, please find enclosed a proposed Remediation Agreement. With a signed Remediation Agreement—together with a scope of work and proof of funds—City staff will can recommend to the Governing Body that further enforcement actions be stayed pending compliance with the Remediation Agreement.



Department of Building & Code Enforcement

120 N. 6th Street

Independence, Kansas 67301

Thank you for your prompt attention to this matter.

David Cowan

Assistant City Manager – Building & Code Enforcement

Attachments/Enclosures: Resolution No. **2026.080**

Cc:



State of Kansas, Montgomery County
This instrument was filed for
Record on July 10, 2026 11:34 AM
Recorded in Book 759 Page 287 - 287
Fee: \$0.00 202602240



Marilyn Calhoun
Marilyn Calhoun, Register of Deeds

RESOLUTION NO. 2026-080

A RESOLUTION FIXING A TIME AND PLACE AND PROVIDING FOR NOTICE OF HEARING BEFORE THE GOVERNING BODY OF THE CITY OF INDEPENDENCE, KANSAS, OF WHICH OWNERS, OWNERS AGENTS, LIEN HOLDERS OF RECORD AND ANY OCCUPANTS, IF ANY, OF THE STRUCTURE OR STRUCTURES IDENTIFIED BELOW, IN SAID CITY MAY APPEAR AND SHOW CAUSE WHY SAID STRUCTURE OR STRUCTURES SHOULD NOT BE CONDEMNED AND ORDERED REPAIRED OR DEMOLISHED PURSUANT TO K.S.A. 12-1751 ET. SEQ.

WHEREAS, the enforcing officer of the City of Independence, Kansas, did on the 9th day of July 2026, file with the Governing body of said City, statements, and reports in writing that the structure or structures located on said properties hereinafter described are unsafe and/or dangerous:

Legal: Lot 37, Glenwood Addition to the City of Independence, Montgomery County, Kansas.

Common Address: 308 S 15th St.

Mortgage:

NOW, THEREFORE, be it resolved by the Governing Body of the City of Independence, Kansas:

That a public hearing will be held on Thursday, **September 10, 2026** before the Governing Body of the City of Independence, Kansas, at 5:30 p.m., in City Hall, 120 N. 6th Street, Independence, Kansas, at which time the owner, the owners agent, any lien holders of record and any occupant of the structure or structures located on the properties described herein, may appear and show cause why such structure or structures should not be condemned as unsafe and/or dangerous and ordered repaired or removed.

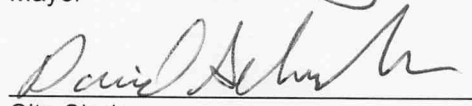
Be it further resolved that the City Clerk shall cause this Resolution to be published one time each week for two consecutive weeks on the same day of each week, that at least thirty (30) days shall elapse between the last publication and the date set for hearing and the City Clerk shall give notice of the aforesaid hearing in the manner provided by Ordinance and by law.

Be it further resolved by the Governing Body of the City of Independence that its authority for the actions set forth herein is established pursuant to K.S.A. 12-1751 ET. SEQ.

Adopted this 9th day of July 2026.



Mayor



City Clerk

(SEAL)





CITY OF INDEPENDENCE, KANSAS

Office of the Building Official

120 N. 6th Street • Independence, KS 67301

Phone: (620) 332-2528 • Email: davidc@independenceks.gov

Date: June 5, 2026

To:

Rusty Winebrenner

304 S. 15th

Independence, Ks. 67301

RE: Notice of Setting a Date for a Public Hearing to Consider Condemnation of Property

Property Location: 308 S. 15th St

Lien Holder:

Dear Sir:

On **July 09, 2026**, pursuant to **K.S.A. 12-1752**, the enforcing officer for the City of Independence, Kansas, will request that the **City Commission** set a **public hearing date** to consider whether the structure(s) located at **308 S. 15th St** are unsafe or dangerous, and whether they should be ordered by the Governing Body to be repaired or demolished.

The City has received reports from Code Enforcement staff and neighboring residents indicating that the structure(s) at this address are in poor condition, have no active water service, and is in a state of deterioration.

Observed conditions include exteriors of the buildings in very poor condition. City utility records further indicate that municipal utility services were last active: 12/31/2018.

To avert condemnation proceedings for the above-referenced property, it is imperative that the following actions be undertaken **without delay**:

1. **Mortgage/Lien Holder Information** – Provide the City with the current mortgage or lien holder and insurance information.



“Delivering Excellence”

2. **Structural Repair** – If you intend to repair the structure, submit a **detailed plan and timeline** outlining the steps you will take to restore the building to a safe and usable condition.
3. **Property Maintenance** – Maintain the property in accordance with City Code, including **regular mowing, trimming of vegetation, and removal of all trash and debris.**
4. **Demolition Procedures** – If you choose to demolish the structure, begin the process immediately and provide the City with a **timeline for demolition and site clearance.** A **City-issued demolition permit** is required prior to any such work.

Commission Meeting – Setting the Date for a Public Hearing:

- **Date:** July 9, 2026
- **Time:** 5:30 PM
- **Location:** 120 N. 6th – Commission Meeting Room 1st Floor

Should you need clarification or wish to discuss this matter further, please contact me at your convenience at **(620) 332-2528** (office) or via email at **davidc@independenceks.gov**.

Your prompt cooperation in addressing this matter is appreciated.
Sincerely,

David J. Cowan
Assistant City Manager
Building Official / Director
City of Independence, Kansas

Report Cover Page

Date:	06/03/2026	Prepared For:	City of Independence
Order No.:	3196488	Owner(s):	Rusty Winebrenner
Issuing Office:	Security 1st Title 114 N. Pennsylvania Avenue Independence, KS 67301	Property Address:	308 S 15th St, Independence, KS 67301

Note: The documents linked in this report should be reviewed carefully. These documents, such as covenants conditions and restrictions, may affect the title, ownership and use of the property. You may wish to engage legal assistance in order to fully understand and be aware of the implications of the effect of these documents on your property.

Vesting Documents:

[Montgomery county at book 719 page 1100](#)

Tax Information:

[087-36-0-10-24-012.00-0](#)

Date: June 03, 2026

File No.: 3196488

Property Address: 308 S 15th St, Independence, KS 67301

Title Contact: Mary Jo Wallis

Contact E-mail: mwallis@security1st.com

OWNERS AND ENCUMBRANCES REPORT

For the exclusive use of:

City of Independence

David Cowan

120 N. 6th Street

Independence, KS 67301

Effective Date of this Report: May 20, 2026 at 7:00 A.M.

On Real Estate described as:

Lot 37, Glenwood Addition to the City of Independence, Montgomery County, Kansas

The Public Records located in Montgomery County indicate that:

A. Interest in the Land described in this Report is owned, at the Report Effective Date, by:

Rusty Winebrenner

B. The Real Estate is encumbered by the following Mortgages, Federal Tax Liens, State Tax Liens, Bankruptcies, and Judgments:

1. The County Tax Records indicate that the general real estate taxes are:

General taxes and special assessments for the year 2025:

Full Amount: \$289.30, NOT PAID

Tax Parcel Number: IC 2490

2. The County Tax Records indicate that the general real estate taxes are:

General taxes and special assessments for the year 2024:

Full Amount: \$278.22, HALF PAID

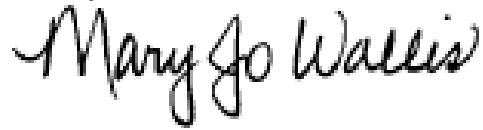
Tax Parcel Number: IC 2490

This Report is limited to only the information described above.

This Report is not nor is to be construed as, an Abstract of Title, Title Opinion, or Title Insurance Policy.

The total liability of this Company by reason of losses and damages that may occur by reason of any errors and omissions in this Company's report is limited to the fee it received for the preparation and issuance of this report.

Security 1st Title

A handwritten signature in black ink that reads "Mary Jo Wallis". The signature is written in a cursive, flowing style.

Licensed Abstracter

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The Parcel Number for this Property is 063-087-36-0-10-24-012.00-0
Quick Ref ID: 3967

Owner Information

Owner Name	WINEBRENNER, RUSTY
Address	304 S 15TH ST INDEPENDENCE, KS 67301

Property Situs Address

Address	308 S 15TH ST, Independence, KS 67301
----------------	---------------------------------------

Land Based Classification System

Function	Single family residence (detached)
Activity	Household activities
Ownership	Private-fee simple
Site	Developed site - with buildings

General Property Information

Prop Class	Residential - R
Living Units	1
Zoning	
Neighborhood	108.F
Tax Unit Group	108

Property Factors

Topography	Above Street - 2
Utilities	All Public - 1
Access	Paved Road - 1 Alley - 7
Fronting	Residential Street - 4
Location	Neighborhood or Spot - 6
Parking Type	On and Off Street - 3
Parking Quantity	Adequate - 2
Parking Proximity	On Site - 3
Parking Covered	
Parking Uncovered	

2026 Appraised Value

Class	Land	Building	Total
Residential - R	4,280	11,610	15,890
Total	4,280	11,610	15,890

2025 Appraised Value

Class	Land	Building	Total
Residential - R	4,280	11,150	15,430
Total	4,280	11,150	15,430

Tract Description

GLENWOOD ADD, S36, T32, R15, Lot 37, ACRES 0.15, Lot Width: 046.0 Lot Depth: 140.0 Plat Book/Page A /5 Deed Book/Page 719 /1100 530 /085 424 /389 355 /533

Deed Information

Book1	Page1	Book2	Page2	Book3	Page3	Book4	Page4
719	1100	719	1100	530	085		

Market Land Information

Method	Type	AC/SF	Eff FF	Depth	D-Fact	Inf1	Fact1	Inf2	Fact2	Ovrd	Class	Value Est
Sqft	Primary Site - 1	6534										4,280

Dwelling Information

Dwelling Information		Comp Sales Information	
Res Type	Single-family Residence	Arch Style	Bungalow
Quality	FR+	Bsmt Type	Crawl - 2
Year Built	1925	Total Rooms	5
Eff Year		Bedrooms	2
MS Style	One Story	Family Rooms	
LBCSStruct	Detached SFR unit	Full Baths	1
No. of Units		Half Baths	
Total Living Area		Garage Cap	1
Calculated Area	980	Foundation	Stone - 4
Main Floor Living Area	980		
Upper Floor Living Area Pct.			
CDU	PR		
Phys/Func/Econ	PR- / /		
Ovr Pct Gd/RCN	/123,460		
Remodel			
Percent Complete			
Assessment Class			
MU Cls/Pct			

Dwelling Components

Code	Units	Pct	Quality	Year
Enclosed Wood Deck (SF), Solid Wall	98			
Frame, Siding, Wood		100		
Raised Subfloor (% or SF)		100		
Plumbing Fixtures (#)	5			
Automatic Floor Cover Allowance				
Wood Deck (SF) with Roof	192			
Composition Shingle		100		

Wall Furnace		100		
Plumbing Rough-ins (#)		1		
Open Slab Porch (SF)		98		

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**REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
September 10, 2026**

Department Admin

Director Approval David Cowan

AGENDA ITEM Public Hearing to consider the condemnation of 328 S. 19th Street as dangerous and unsafe.

SUMMARY RECOMMENDATION City Staff recommends condemnation as dangerous and unsafe.

BACKGROUND The structure at 328 S 19th Street has been reported to the City as deteriorated and without utility service since 9/30/2018. City staff has had no contact with the owner and would recommend condemnation as dangerous and unsafe.

FINANCIAL INFORMATION The cost of removal if the owner fails to commence repair or removal of the structure.

SUGGESTED MOTION I move to adopt a resolution condemning 328 S. 19th Street as dangerous and unsafe.

SUPPORTING DOCUMENTS

1. RESOLUTION 2026-125 - CONDEMNATION - DAYS - 328 S 19th
2. 328 S 19th Photos
3. 2026 - Notice of Public Hearing Date - 1st Letter - Cert - 07092026
4. 2026-081 - Condemnation - P_H - 328 S 19th
5. 4490
6. 2026 - Setting Date of Public Hearing
7. 3196483_OE_Report
8. Parcel - 328 S. 19th

RESOLUTION NO. 2026-125

A RESOLUTION FINDING THAT THE STRUCTURE, OR STRUCTURES, LOCATED ON THE FOLLOWING TRACT/PARCEL IN THE CITY OF INDEPENDENCE, MONTGOMERY COUNTY, KANSAS, IS UNSAFE AND DANGEROUS AND ORDERED CONDEMNED AND DIRECTING SAID STRUCTURE, OR STRUCTURES, TO BE REPAIRED OR REMOVED AND THE PREMISES MADE SAFE AND SECURE. SAID REPAIR OR REMOVAL WILL COMMENCE WITHIN **30 DAYS** OF THE PUBLICATION OF THIS RESOLUTION.

Legal Description

Lots 13 and 14, Block 2, Bloom's Addition to the City of Independence, Montgomery County, Kansas

Common Address

328 S 19th St

Mortgage

WHEREAS, the Building Inspector of the City of Independence, Kansas, did on the 9th day of July 2026, file with the Governing body of said City, a statement in writing that the structure, or structures, located on the above described tract/parcel is unsafe and/or dangerous; and

WHEREAS, the Governing body did by **Res. #2026—081**, dated **July 9, 2026**, fix a time and place of hearing at which time the owner, his or her agent, any lien holders of record and any occupant of such structure, or structures, could appear and show cause why such structure, or structures, should not be condemned and ordered repaired and/or demolished and further provided for the giving of notice thereof as provided by law; and

WHEREAS, such resolution was published in the official city newspaper on **July 15, 2026 and July 22, 2026**, a copy of such resolution and notice was mailed to the owner, his or her agent; any lien holders of record and any occupant of the structure, or structures, at his or her last known place of residence, at which hearing the governing body heard all persons and considered all evidence presented by interested parties, including the Building Inspector of the City of Independence, Kansas.

NOW, THEREFORE, be it resolved by the Governing Body of the City of Independence, Kansas:

The said governing body hereby finds that the structure, or structures, located on the following described tract/parcel in the City of Independence, Montgomery County, Kansas:

Legal Description

Lots 13 and 14, Block 2, Bloom's Addition to the City of Independence, Montgomery County, Kansas

Common Address

328 S 19th St

Mortgage

Is unsafe and dangerous and constitutes a blight and therefore should be and is hereby condemned and it is hereby directed that such structure, or structures, be repaired or removed and the premises made safe and secure. The owner of the structure, or structures, is hereby given **30 days** from the publication of this resolution within which to commence such repair or removal and the premises made safe and secure. If the owner of such structure, or structures fails to diligently prosecute the same until the work is completed, said governing body will cause the structure, or structures, to be razed and removed, in order to make the premises safe and secure.

BE IT FURTHER RESOLVED, that the City Clerk shall cause this resolution to be published once in the official city newspaper and a copy mailed to the owner, his or her agent, lien holders and occupants as provided by law and a copy of said resolution shall be filed with the Montgomery County Register of Deeds.

Adopted this 10th day of September, 2026.

(SEAL)

Mayor

City Clerk

Consider setting the date of September 10, 2026 at 5:30 PM for a Public Hearing to consider the condemnation of 328 S. 19th Street as dangerous and unsafe.



SUGGESTED MOTION:

I move to adopt a resolution scheduling a Public Hearing on September 10, 2026, at 5:30 PM to consider the condemnation of 328 S. 19th Street as dangerous and unsafe.





NOTICE OF PUBLIC HEARING TO CONSIDER CONDEMNATION OF PROPERTY

Date: July 22, 2026

TO:

Lydia Ellinburg

328 S. 19th

Independence, Ks. 67301

Lien Holder:

RE: Unsafe or Dangerous Structure at: **328 S. 19th Street**

Property records reflect that you are the owner or occupant of the above-described Property. This letter is being provided to you pursuant to K.S.A. 12-1751 et seq to advise you that staff for the City of Independence, Kansas, has determined that the Property is “unsafe or dangerous” and subject to condemnation or being ordered to be repaired or demolished.

On **July 09, 2026**, the City Commission adopted a Resolution for a public hearing to be held on **September 10, 2026, at 120 N. 6th Street**, Commission Room, Independence, Kansas 67301. The public hearing will commence at 5:30 p.m. At such hearing, the owner of the Property, the owner’s agent, lienholders or record, and any occupant may appear and show cause why the structure(s) on the Property should not be condemned and ordered repaired or demolished.

On the date of the hearing, the Governing Body shall hear the evidence (if any) presented. If the Governing Body finds that the Property is unsafe or dangerous, then the Governing Body may direct the structure(s) to be repaired or removed and the Property made safe and secure. The Governing Body shall also fix a reasonable time within which the repair or removal shall be commenced and, if the owner fails to commence the repair or removal within the time stated, or fails to diligently prosecute the same to completion, the Governing Body will cause the structure to be repaired or razed and removed.

Please contact us as soon as possible so that we may review the steps that must be undertaken to bring the Property into compliance and no longer be regarded as unsafe or dangerous. To that end, please find enclosed a proposed Remediation Agreement. With a signed Remediation Agreement—together with a scope of work and proof of funds—City staff will can recommend to the Governing Body that further enforcement actions be stayed pending compliance with the Remediation Agreement.



Department of Building & Code Enforcement

120 N. 6th Street

Independence, Kansas 67301

Thank you for your prompt attention to this matter.

David Cowan

Assistant City Manager – Building & Code Enforcement

Attachments/Enclosures: Resolution No. **2026.081**

Cc:



State of Kansas, Montgomery County
This instrument was filed for
Record on July 10, 2026 11:35 AM
Recorded in Book 759 Page 288 - 288
Fee: \$0.00 202602241



Marilyn Calhoun

Marilyn Calhoun, Register of Deeds

RESOLUTION NO. 2026-081

A RESOLUTION FIXING A TIME AND PLACE AND PROVIDING FOR NOTICE OF HEARING BEFORE THE GOVERNING BODY OF THE CITY OF INDEPENDENCE, KANSAS, OF WHICH OWNERS, OWNERS AGENTS, LIEN HOLDERS OF RECORD AND ANY OCCUPANTS, IF ANY, OF THE STRUCTURE OR STRUCTURES IDENTIFIED BELOW, IN SAID CITY MAY APPEAR AND SHOW CAUSE WHY SAID STRUCTURE OR STRUCTURES SHOULD NOT BE CONDEMNED AND ORDERED REPAIRED OR DEMOLISHED PURSUANT TO K.S.A. 12-1751 ET. SEQ.

WHEREAS, the enforcing officer of the City of Independence, Kansas, did on the 9th day of July 2026, file with the Governing body of said City, statements, and reports in writing that the structure or structures located on said properties hereinafter described are unsafe and/or dangerous:

Legal: Lots 13 and 14, Block 2, Bloom's Addition to the City of Independence, Montgomery County, Kansas.

Common Address: 328 S 19th St.

Mortgage:

NOW, THEREFORE, be it resolved by the Governing Body of the City of Independence, Kansas:

That a public hearing will be held on Thursday, **September 10, 2026** before the Governing Body of the City of Independence, Kansas, at 5:30 p.m., in City Hall, 120 N. 6th Street, Independence, Kansas, at which time the owner, the owners agent, any lien holders of record and any occupant of the structure or structures located on the properties described herein, may appear and show cause why such structure or structures should not be condemned as unsafe and/or dangerous and ordered repaired or removed.

Be it further resolved that the City Clerk shall cause this Resolution to be published one time each week for two consecutive weeks on the same day of each week, that at least thirty (30) days shall elapse between the last publication and the date set for hearing and the City Clerk shall give notice of the aforesaid hearing in the manner provided by Ordinance and by law.

Be it further resolved by the Governing Body of the City of Independence that its authority for the actions set forth herein is established pursuant to K.S.A. 12-1751 ET. SEQ.

Adopted this 9th day of July 2026.



Mayor



City Clerk

(SEAL)







CITY OF INDEPENDENCE, KANSAS

Office of the Building Official

120 N. 6th Street • Independence, KS 67301

Phone: (620) 332-2528 • Email: davidc@independenceks.gov

Date: June 5, 2026

To:

Lydia Ellinburg

328 S. 19th

Independence, Ks. 67301

RE: Notice of Setting a Date for a Public Hearing to Consider Condemnation of Property

Property Location: 328 S. 19th

Lien Holder:

Dear Sir:

On **July 09, 2026**, pursuant to **K.S.A. 12-1752**, the enforcing officer for the City of Independence, Kansas, will request that the **City Commission** set a **public hearing date** to consider whether the structure(s) located at **328 S. 19th St.** are unsafe or dangerous, and whether they should be ordered by the Governing Body to be repaired or demolished.

The City has received reports from Code Enforcement staff and neighboring residents indicating that the structure(s) at this address are in poor condition, have no active water service, and is in a state of deterioration.

Observed conditions include exteriors of the buildings in very poor condition. City utility records further indicate that municipal utility services were last active: 09/30/2018.

To avert condemnation proceedings for the above-referenced property, it is imperative that the following actions be undertaken **without delay**:

1. **Mortgage/Lien Holder Information** – Provide the City with the current mortgage or lien holder and insurance information.



“Delivering Excellence”

2. **Structural Repair** – If you intend to repair the structure, submit a **detailed plan and timeline** outlining the steps you will take to restore the building to a safe and usable condition.
3. **Property Maintenance** – Maintain the property in accordance with City Code, including **regular mowing, trimming of vegetation, and removal of all trash and debris.**
4. **Demolition Procedures** – If you choose to demolish the structure, begin the process immediately and provide the City with a **timeline for demolition and site clearance.** A **City-issued demolition permit** is required prior to any such work.

Commission Meeting – Setting the Date for a Public Hearing:

- **Date:** July 9, 2026
- **Time:** 5:30 PM
- **Location:** 120 N. 6th – Commission Meeting Room 1st Floor

Should you need clarification or wish to discuss this matter further, please contact me at your convenience at **(620) 332-2528** (office) or via email at **davidc@independenceks.gov**.

Your prompt cooperation in addressing this matter is appreciated.
Sincerely,

David J. Cowan
Assistant City Manager
Building Official / Director
City of Independence, Kansas

Report Cover Page

Date:	06/04/2026	Prepared For:	City of Independence
Order No.:	3196483	Owner(s):	Lydia Ellinburg
Issuing Office:	Security 1st Title 114 N. Pennsylvania Avenue Independence, KS 67301	Property Address:	328 S 19th St, Independence, KS 67301

Note: The documents linked in this report should be reviewed carefully. These documents, such as covenants conditions and restrictions, may affect the title, ownership and use of the property. You may wish to engage legal assistance in order to fully understand and be aware of the implications of the effect of these documents on your property.

Vesting Documents:

[Montgomery county at book 326 page 347](#)

Tax Information:

[087-36-0-20-18-010.00-0](#)

Date: June 04, 2026

File No.: 3196483

Property Address: 328 S 19th St, Independence, KS 67301

Title Contact: Mary Jo Wallis

Contact E-mail: mwallis@security1st.com

OWNERS AND ENCUMBRANCES REPORT

For the exclusive use of:

City of Independence

David Cowan

120 N. 6th Street

Independence, KS 67301

Effective Date of this Report: May 20, 2026 at 7:00 A.M.

On Real Estate described as:

Lots 13 and 14, Block 2, Bloom's Addition to the City of Independence, Montgomery County, Kansas

The Public Records located in Montgomery County indicate that:

A. Interest in the Land described in this Report is owned, at the Report Effective Date, by:

Lydia Ellinburg

B. The Real Estate is encumbered by the following Mortgages, Federal Tax Liens, State Tax Liens, Bankruptcies, and Judgments:

1. The County Tax Records indicated that the real estate taxes are:

General taxes and special assessments for the year 2025 in the amount of \$223.26, Not Paid.

Tax Parcel No. # 063-087-36-0-20-18-010.00-0

PIN # IC 3538

This Report is limited to only the information described above.

This Report is not nor is to be construed as, an Abstract of Title, Title Opinion, or Title Insurance Policy.

The total liability of this Company by reason of losses and damages that may occur by reason of any errors and omissions in this Company's report is limited to the fee it received for the preparation and issuance of this report.

Security 1st Title

Mary Jo Wallis

Licensed Abstracter

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The Parcel Number for this Property is 063-087-36-0-20-18-010.00-0
Quick Ref ID: 4349

Owner Information

Owner Name	ELLINBURG, LYDIA
Address	328 S 19TH INDEPENDENCE, KS 67301

Property Situs Address

Address	328 S 19TH ST, Independence, KS 67301
----------------	---------------------------------------

Land Based Classification System

Function	Single family residence (detached)
Activity	Household activities
Ownership	Private-fee simple
Site	Developed site - with buildings

General Property Information

Prop Class	Residential - R
Living Units	1
Zoning	
Neighborhood	108.F
Tax Unit Group	108

Property Factors

Topography	Above Street - 2
Utilities	All Public - 1
Access	Paved Road - 1 Alley - 7
Fronting	Residential Street - 4
Location	Neighborhood or Spot - 6
Parking Type	On and Off Street - 3
Parking Quantity	Adequate - 2
Parking Proximity	On Site - 3
Parking Covered	
Parking Uncovered	

2026 Appraised Value

Class	Land	Building	Total
Residential - R	1,130	11,130	12,260
Total	1,130	11,130	12,260

2025 Appraised Value

Class	Land	Building	Total
Residential - R	1,130	10,770	11,900
Total	1,130	10,770	11,900

Tract Description

BLOOMS ADD, S36, T32, R15, BLOCK 2, Lot 13 & 14; Lot Width: 140.0 Lot Depth: 100.0 Plat Book/Page 4 /8 Lot Width: 140.0 Lot Depth: 100.0 Deed Book/Page 326 /347

Deed Information

Book1	Page1	Book2	Page2	Book3	Page3	Book4	Page4
326	347						

Market Land Information

Method	Type	AC/SF	Eff FF	Depth	D-Fact	Inf1	Fact1	Inf2	Fact2	Ovrd	Class	Value Est
Sqft	vacant- 2	14000				8	50					1,130

Dwelling Information

Dwelling Information		Comp Sales Information	
Res Type	Single-family Residence	Arch Style	Bungalow
Quality	FR-	Bsmt Type	Crawl - 2
Year Built	1910	Total Rooms	4
Eff Year		Bedrooms	1
MS Style	One Story	Family Rooms	
LBCSStruct	Detached SFR unit	Full Baths	1
No. of Units		Half Baths	
Total Living Area		Garage Cap	
Calculated Area	726	Foundation	Stone - 4
Main Floor Living Area	726		
Upper Floor Living Area Pct.			
CDU	PR		
Phys/Func/Econ	PR/ /		
Ovr Pct Gd/RCN	/89,890		
Remodel			
Percent Complete			
Assessment Class			
MU Cls/Pct			

Dwelling Components

Code	Units	Pct	Quality	Year
Wood Deck (SF) with Roof	176			
Composition Shingle		100		
Plumbing Fixtures (#)	5			
Automatic Floor Cover Allowance				
Enclosed Wood Deck (SF), Solid Wall	84			
Frame, Siding, Vinyl		100		
Raised Subfloor (% or SF)		100		

Plumbing Rough-ins (#)	1			
Wall Furnace		100		

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**REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
September 10, 2026**

Department Admin

Director Approval David Cowan

AGENDA ITEM Public Hearing to consider the condemnation of 412 S. Wald Ave as dangerous and unsafe.

SUMMARY RECOMMENDATION City Staff recommends condemnation as dangerous and unsafe.

BACKGROUND The structure was involved in a fire on July 5, 2026, which caused extensive damage to the rear portion of the structure and smoke damage throughout the interior. City staff contacted the property owner following the fire and was advised that there was no insurance coverage on the property. The owner indicated they would review their options regarding the property; however, City staff has received no further communication from the owner since that initial contact.

Due to the extent of the fire damage, the current condition of the structure, and the lack of action by the property owner, City staff recommends that the structure be condemned as dangerous and unsafe.

FINANCIAL INFORMATION The cost of removal if the owner fails to commence repair or removal of the structure.

SUGGESTED MOTION I move to adopt a resolution condemning 412 S. Wald Avenue as dangerous and unsafe.

SUPPORTING DOCUMENTS

1. RESOLUTION 2026-126 - CONDEMNATION - DAYS - 412 S Wald
2. August 31 - Photos
3. 2026 - Notice of Public Hearing Date - 1st Letter - Cert - 07092026
4. 2026-083 - Condemnation - P_H - 412 S Wald
5. Photos - 412 S. Wald Ave 07062026
6. 2026 - Setting Date of Public Hearing
7. 412 S. Wald - Parcel
8. 3203068_OE_Report

RESOLUTION NO. 2026-126

A RESOLUTION FINDING THAT THE STRUCTURE, OR STRUCTURES, LOCATED ON THE FOLLOWING TRACT/PARCEL IN THE CITY OF INDEPENDENCE, MONTGOMERY COUNTY, KANSAS, IS UNSAFE AND DANGEROUS AND ORDERED CONDEMNED AND DIRECTING SAID STRUCTURE, OR STRUCTURES, TO BE REPAIRED OR REMOVED AND THE PREMISES MADE SAFE AND SECURE. SAID REPAIR OR REMOVAL WILL COMMENCE WITHIN **30 DAYS** OF THE PUBLICATION OF THIS RESOLUTION.

Legal Description

Lot 7, Block 3, and Adjacent Vacated Alley, Hill & Sutters 1st Addition to the City of Independence, Montgomery County, Kansas

Common Address

412 S Wald Ave

Mortgage

WHEREAS, the Building Inspector of the City of Independence, Kansas, did on the 9th day of July 2026, file with the Governing body of said City, a statement in writing that the structure, or structures, located on the above described tract/parcel is unsafe and/or dangerous; and

WHEREAS, the Governing body did by **Res. #2026—083**, dated **July 9, 2026**, fix a time and place of hearing at which time the owner, his or her agent, any lien holders of record and any occupant of such structure, or structures, could appear and show cause why such structure, or structures, should not be condemned and ordered repaired and/or demolished and further provided for the giving of notice thereof as provided by law; and

WHEREAS, such resolution was published in the official city newspaper on **July 16, 2026 and July 23, 2026**, a copy of such resolution and notice was mailed to the owner, his or her agent; any lien holders of record and any occupant of the structure, or structures, at his or her last known place of residence, at which hearing the governing body heard all persons and considered all evidence presented by interested parties, including the Building Inspector of the City of Independence, Kansas.

NOW, THEREFORE, be it resolved by the Governing Body of the City of Independence, Kansas:

The said governing body hereby finds that the structure, or structures, located on the following described tract/parcel in the City of Independence, Montgomery County, Kansas:

Legal Description

Lot 7, Block 3, and Adjacent Vacated Alley, Hill & Sutters 1st Addition to the City of Independence, Montgomery County, Kansas

Common Address

412 S Wald Ave

Mortgage

Is unsafe and dangerous and constitutes a blight and therefore should be and is hereby condemned and it is hereby directed that such structure, or structures, be repaired or removed and the premises made safe and secure. The owner of the structure, or structures, is hereby given **30 days** from the publication of this resolution within which to commence such repair or removal and the premises made safe and secure. If the owner of such structure, or structures fails to diligently prosecute the same until the work is completed, said governing body will cause the structure, or structures, to be razed and removed, in order to make the premises safe and secure.

BE IT FURTHER RESOLVED, that the City Clerk shall cause this resolution to be published once in the official city newspaper and a copy mailed to the owner, his or her agent, lien holders and occupants as provided by law and a copy of said resolution shall be filed with the Montgomery County Register of Deeds.

Adopted this 10th day of September, 2026.

(SEAL)

Mayor

City Clerk



412 S. Wald Ave – Aug 31, 2026



NOTICE OF PUBLIC HEARING TO CONSIDER CONDEMNATION OF PROPERTY

Date: July 22, 2026

TO:

**William & Teresa Davison
4208 CR 3960
Independence, Ks. 67301**

Lien Holder:

RE: Unsafe or Dangerous Structure at: **412 S. Wald Ave**

Property records reflect that you are the owner or occupant of the above-described Property. This letter is being provided to you pursuant to K.S.A. 12-1751 et seq to advise you that staff for the City of Independence, Kansas, has determined that the Property is “unsafe or dangerous” and subject to condemnation or being ordered to be repaired or demolished.

On **July 09, 2026**, the City Commission adopted a Resolution for a public hearing to be held on **September 10, 2026, at 120 N. 6th Street**, Commission Room, Independence, Kansas 67301. The public hearing will commence at 5:30 p.m. At such hearing, the owner of the Property, the owner’s agent, lienholders or record, and any occupant may appear and show cause why the structure(s) on the Property should not be condemned and ordered repaired or demolished.

On the date of the hearing, the Governing Body shall hear the evidence (if any) presented. If the Governing Body finds that the Property is unsafe or dangerous, then the Governing Body may direct the structure(s) to be repaired or removed and the Property made safe and secure. The Governing Body shall also fix a reasonable time within which the repair or removal shall be commenced and, if the owner fails to commence the repair or removal within the time stated, or fails to diligently prosecute the same to completion, the Governing Body will cause the structure to be repaired or razed and removed.

Please contact us as soon as possible so that we may review the steps that must be undertaken to bring the Property into compliance and no longer be regarded as unsafe or dangerous. To that end, please find enclosed a proposed Remediation Agreement. With a signed Remediation Agreement—together with a scope of work and proof of funds—City staff will can recommend to the Governing Body that further enforcement actions be stayed pending compliance with the Remediation Agreement.



Department of Building & Code Enforcement

120 N. 6th Street

Independence, Kansas 67301

Thank you for your prompt attention to this matter.

David Cowan

Assistant City Manager – Building & Code Enforcement

Attachments/Enclosures: Resolution No. **2026.083**

Cc:



State of Kansas, Montgomery County
This instrument was filed for
Record on July 10, 2026 11:37 AM
Recorded in Book 759 Page 290 - 290
Fee: \$0.00 202602243
Marilyn Calhoun
Marilyn Calhoun, Register of Deeds



RESOLUTION NO. 2026-083

A RESOLUTION FIXING A TIME AND PLACE AND PROVIDING FOR NOTICE OF HEARING BEFORE THE GOVERNING BODY OF THE CITY OF INDEPENDENCE, KANSAS, OF WHICH OWNERS, OWNERS AGENTS, LIEN HOLDERS OF RECORD AND ANY OCCUPANTS, IF ANY, OF THE STRUCTURE OR STRUCTURES IDENTIFIED BELOW, IN SAID CITY MAY APPEAR AND SHOW CAUSE WHY SAID STRUCTURE OR STRUCTURES SHOULD NOT BE CONDEMNED AND ORDERED REPAIRED OR DEMOLISHED PURSUANT TO K.S.A. 12-1751 ET. SEQ.

WHEREAS, the enforcing officer of the City of Independence, Kansas, did on the 9th day of July 2026, file with the Governing body of said City, statements, and reports in writing that the structure or structures located on said properties hereinafter described are unsafe and/or dangerous:

Legal: Lot 7, Block 3, and Adjacent Vacated Alley, Hill & Sutters 1st Addition to the City of Independence, Montgomery County, Kansas.

Common Address: 412 S Wald Ave.

Mortgage:

NOW, THEREFORE, be it resolved by the Governing Body of the City of Independence, Kansas:

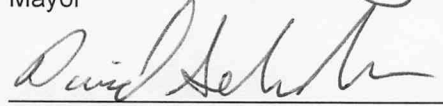
That a public hearing will be held on Thursday, **September 10, 2026** before the Governing Body of the City of Independence, Kansas, at 5:30 p.m., in City Hall, 120 N. 6th Street, Independence, Kansas, at which time the owner, the owners agent, any lien holders of record and any occupant of the structure or structures located on the properties described herein, may appear and show cause why such structure or structures should not be condemned as unsafe and/or dangerous and ordered repaired or removed.

Be it further resolved that the City Clerk shall cause this Resolution to be published one time each week for two consecutive weeks on the same day of each week, that at least thirty (30) days shall elapse between the last publication and the date set for hearing and the City Clerk shall give notice of the aforesaid hearing in the manner provided by Ordinance and by law.

Be it further resolved by the Governing Body of the City of Independence that its authority for the actions set forth herein is established pursuant to K.S.A. 12-1751 ET. SEQ.

Adopted this 9th day of July 2026.



Mayor


City Clerk





412 S. Wald Ave



CITY OF INDEPENDENCE, KANSAS

Office of the Building Official

120 N. 6th Street • Independence, KS 67301

Phone: (620) 332-2528 • Email: davidc@independenceks.gov

Date: July 6, 2026

To:

William & Teresa Davison

4208 CR 3960

Independence, Ks. 67301

RE: Notice of Setting a Date for a Public Hearing to Consider Condemnation of Property

Property Location: 412 S. Wald

Lien Holder:

Dear Mr. Davison:

On **July 23, 2026**, pursuant to **K.S.A. 12-1752**, the enforcing officer for the City of Independence, Kansas, will request that the **City Commission** set a **public hearing date of September 10, 2026**, to consider whether the structure(s) located at **412 S. Wald St.** are unsafe or dangerous, and whether they should be ordered by the Governing Body to be repaired or demolished.

The structure was involved in a fire on July 5, 2026, that did extensive damage to the rear of the structure and smoke damage throughout the structure.

To avert condemnation proceedings for the above-referenced property, it is imperative that the following actions be undertaken **without delay**:

1. **Mortgage/Lien Holder Information** – Provide the City with the current mortgage or lien holder and **insurance information**.
2. **Structural Repair** – If you intend to repair the structure, submit a **detailed plan and timeline** outlining the steps you will take to restore the building to a safe and usable condition. Please contact the building inspector at 620.205.7611 and you can obtain a building permit at <https://www.independenceks.gov/DocumentCenter/View/3751/Building-Permit---Remodel-Application>

3. **Property Maintenance** – Maintain the property in accordance with City Code, including **regular mowing, trimming of vegetation, and removal of all trash and debris.**
4. **Demolition Procedures** – If you choose to demolish the structure, begin the process immediately and provide the City with a **timeline for demolition and site clearance.** A **City-issued demolition permit** is required prior to any such work.
5. **Landbank** – if you do not have a desire for the property or the cost of demolition of the structure, you can contact the landbank about a donation. You can reach the landbank at **620.332.2536**

Commission Meeting – Setting the Date for a Public Hearing:

- **Date:** July 09, 2026
- **Time:** 5:30 PM
- **Location:** 120 N. 6th – Commission Meeting Room 1st Floor

Should you need clarification or wish to discuss this matter further, please contact me at your convenience at **(620) 332-2528** (office), **(620) 330-0056** (mobile), or via email at **davidc@independenceks.gov**.

Your prompt cooperation in addressing this matter is appreciated.
Sincerely,

David J. Cowan
Assistant City Manager
Building Official / Director
City of Independence, Kansas

[Print Page](#)

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The Parcel Number for this Property is 063-099-31-0-10-36-005.00-0
Quick Ref ID: 6839

Owner Information

Owner Name	DAVISON, WILLIAM P. & TERESA D.
Address	4208 CR 3960 INDEPENDENCE, KS 67301

Property Situs Address

Address	412 S WALD AVE, Independence, KS 67301
----------------	--

Land Based Classification System

Function	Single family residence (detached)
Activity	Household activities
Ownership	Private-fee simple
Site	Developed site - with buildings

General Property Information

Prop Class	Residential - R
Living Units	1
Zoning	
Neighborhood	108.F
Tax Unit Group	108

Property Factors

Topography	Level - 1
Utilities	All Public - 1
Access	Paved Road - 1 Alley - 7
Fronting	Residential Street - 4
Location	Neighborhood or Spot - 6
Parking Type	On and Off Street - 3
Parking Quantity	Adequate - 2
Parking Proximity	On Site - 3
Parking Covered	
Parking Uncovered	

2026 Appraised Value

Class	Land	Building	Total
Residential - R	4,610	17,260	21,870
Total	4,610	17,260	21,870

2025 Appraised Value

Class	Land	Building	Total
Residential - R	4,610	16,620	21,230
Total	4,610	16,620	21,230

Tract Description

HILL & SUTTERS 1ST ADD, S31, T32, R16, ACRES 0.19, LOT 7 BLK 3; & ADJ VAC ALLEY; Lot Width: 060.0 Lot Depth: 150.0 Plat Book/Page A /15 Deed Book/Page 732 /068 591 /340 588 /168 585 /243 571/798 527 /478 500 /571 280 /072

Deed Information

Book1	Page1	Book2	Page2	Book3	Page3	Book4	Page4
732	068	682	224	591	340	588	168

Market Land Information

Method	Type	AC/SF	Eff FF	Depth	D-Fact	Inf1	Fact1	Inf2	Fact2	Ovrd	Class	Value Est
Sqft	Primary Site - 1	8276										4,610

Dwelling Information

Dwelling Information		Comp Sales Information	
Res Type	Single-family Residence	Arch Style	Bungalow
Quality	FR	Bsmt Type	Partial - 3
Year Built	1905	Total Rooms	5
Eff Year		Bedrooms	2
MS Style	One Story	Family Rooms	
LBCSStruct	Detached SFR unit	Full Baths	1
No. of Units		Half Baths	
Total Living Area		Garage Cap	
Calculated Area	822	Foundation	Stone - 4
Main Floor Living Area	822		
Upper Floor Living Area Pct.			
CDU	FR-		
Phys/Func/Econ	PR/ /		
Ovr Pct Gd/RCN	/116,430		
Remodel			
Percent Complete			
Assessment Class			
MU Cls/Pct			

Dwelling Components

Code	Units	Pct	Quality	Year
Enclosed Wood Deck (SF), Solid Wall	72			
Composition Shingle		100		
Raised Subfloor (% or SF)		100		
Plumbing Fixtures (#)	5			
Automatic Floor Cover Allowance				
Frame, Siding, Wood		100		
Total Basement Area (SF)	592			

Wall Furnace		100		
Plumbing Rough-ins (#)		1		
Wood Deck (SF) with Roof		96		

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Parcel Search powered by  **Aumentum**[™]
TECHNOLOGIES

Report Cover Page

Date:	07/15/2026	Prepared For:	City of Independence
Order No.:	3203068	Owner(s):	William P. Davison and Teresa D. Davison
Issuing Office:	Security 1st Title 114 N. Pennsylvania Avenue Independence, KS 67301	Property Address:	412 S Wald Ave, Independence, KS 67301

Note: The documents linked in this report should be reviewed carefully. These documents, such as covenants conditions and restrictions, may affect the title, ownership and use of the property. You may wish to engage legal assistance in order to fully understand and be aware of the implications of the effect of these documents on your property.

Vesting Documents:

[Montgomery county at book 732 page 68](#)

Tax Information:

[099-31-0-10-36-005.00-0](#)

Date: July 15, 2026

Property Address: 412 S Wald Ave, Independence, KS
67301

File No.: 3203068

Title Contact: Mary Jo Wallis

Contact E-mail: mwallis@security1st.com

OWNERS AND ENCUMBRANCES REPORT

For the exclusive use of:

City of Independence

David Cowan

120 N. 6th Street

Independence, KS 67301

Effective Date of this Report: July 01, 2026 at 7:00 A.M.

On Real Estate described as:

Lot 7, Block 3, Hill & Sutter's First Addition to the City of Independence, Montgomery County, Kansas

The Public Records located in Montgomery County indicate that:

A. Interest in the Land described in this Report is owned, at the Report Effective Date, by:

William P. Davison and Teresa D. Davison

B. The Real Estate is encumbered by the following Mortgages, Federal Tax Liens, State Tax Liens, Bankruptcies, and Judgments:

1. The County Tax Records indicate that the general real estate taxes are:

General taxes and special assessments for the year 2025:

Full Amount: \$398.08, PAID

Tax Parcel Number: IC 5306

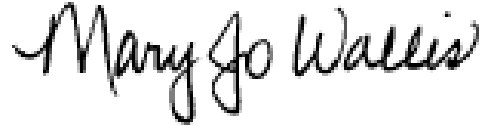
2. Case No. 2004-MV-000091 I: Journal Entry of Judgment filed June 17, 2004 in favor of Ford Motor Credit Company and against Teresa D. Perry. Renewal Affidavit filed 12/10/19, showing remaining balance due and unpaid on the judgment is \$27,559.02, plus interest and penalties, in the District Court of MONTGOMERY, Kansas. Order of Garnishment filed 10/03/23

This Report is limited to only the information described above.

This Report is not nor is to be construed as, an Abstract of Title, Title Opinion, or Title Insurance Policy.

The total liability of this Company by reason of losses and damages that may occur by reason of any errors and omissions in this Company's report is limited to the fee it received for the preparation and issuance of this report.

Security 1st Title

A handwritten signature in black ink that reads "Mary Jo Wallis". The signature is written in a cursive, flowing style.

Licensed Abstracter



REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
September 10, 2026

Department Admin

Director Approval David Cowan

AGENDA ITEM Public Hearing to consider the condemnation of 424 S. 18th Street as dangerous and unsafe.

SUMMARY RECOMMENDATION City Staff recommends condemnation as dangerous and unsafe.

BACKGROUND The structure at 424 S 18th Street has been reported to the City as being in a deteriorated condition and without utility service since 5/31/2017. City staff has not contacted the property owner. City Staff recommends condemnation as dangerous and unsafe.

FINANCIAL INFORMATION The cost of removal if the owner fails to commence repair or removal of the structure.

SUGGESTED MOTION I move to adopt a resolution condemning 424 S. 18th Street as dangerous and unsafe.

SUPPORTING DOCUMENTS

1. RESOLUTION 2026-127 - CONDEMNATION - DAYS - 424 S 18th
2. 424 S 8th Photos
3. 1st Notice of Public Hearing 07092026
4. 2026-084 - Condemnation - P_H - 424 S 18th
5. 06162026 - Photo
6. 2026 - Setting Date of Public Hearing
7. 3196461_OE_Report
8. Parcel - 424 S. 18th

RESOLUTION NO. 2026-127

A RESOLUTION FINDING THAT THE STRUCTURE, OR STRUCTURES, LOCATED ON THE FOLLOWING TRACT/PARCEL IN THE CITY OF INDEPENDENCE, MONTGOMERY COUNTY, KANSAS, IS UNSAFE AND DANGEROUS AND ORDERED CONDEMNED AND DIRECTING SAID STRUCTURE, OR STRUCTURES, TO BE REPAIRED OR REMOVED AND THE PREMISES MADE SAFE AND SECURE. SAID REPAIR OR REMOVAL WILL COMMENCE WITHIN **30 DAYS** OF THE PUBLICATION OF THIS RESOLUTION.

Legal Description

Lot 8, Block 6, Bloom's Addition to the City of Independence, Montgomery County, Kansas

Common Address

424 S 18th St

Mortgage

WHEREAS, the Building Inspector of the City of Independence, Kansas, did on the 9th day of July 2026, file with the Governing body of said City, a statement in writing that the structure, or structures, located on the above described tract/parcel is unsafe and/or dangerous; and

WHEREAS, the Governing body did by **Res. #2026—084**, dated **July 9, 2026**, fix a time and place of hearing at which time the owner, his or her agent, any lien holders of record and any occupant of such structure, or structures, could appear and show cause why such structure, or structures, should not be condemned and ordered repaired and/or demolished and further provided for the giving of notice thereof as provided by law; and

WHEREAS, such resolution was published in the official city newspaper on **July 16, 2026 and July 23, 2026**, a copy of such resolution and notice was mailed to the owner, his or her agent; any lien holders of record and any occupant of the structure, or structures, at his or her last known place of residence, at which hearing the governing body heard all persons and considered all evidence presented by interested parties, including the Building Inspector of the City of Independence, Kansas.

NOW, THEREFORE, be it resolved by the Governing Body of the City of Independence, Kansas:

The said governing body hereby finds that the structure, or structures, located on the following described tract/parcel in the City of Independence, Montgomery County, Kansas:

Legal Description

Lot 8, Block 6, Bloom's Addition to the City of Independence, Montgomery County, Kansas

Common Address

424 S 18th St

Mortgage

Is unsafe and dangerous and constitutes a blight and therefore should be and is hereby condemned and it is hereby directed that such structure, or structures, be repaired or removed and the premises made safe and secure. The owner of the structure, or structures, is hereby given **30 days** from the publication of this resolution within which to commence such repair or removal and the premises made safe and secure. If the owner of such structure, or structures fails to diligently prosecute the same until the work is completed, said governing body will cause the structure, or structures, to be razed and removed, in order to make the premises safe and secure.

BE IT FURTHER RESOLVED, that the City Clerk shall cause this resolution to be published once in the official city newspaper and a copy mailed to the owner, his or her agent, lien holders and occupants as provided by law and a copy of said resolution shall be filed with the Montgomery County Register of Deeds.

Adopted this 10th day of September, 2026.

(SEAL)

Mayor

City Clerk

Consider setting the date of September 10, 2026 at 5:30 PM for a Public Hearing to consider the condemnation of 424 S. 8th Street as dangerous and unsafe.



SUGGESTED MOTION:

I move to adopt a resolution scheduling a Public Hearing on September 10, 2026, at 5:30 PM to consider the condemnation of 424 S. 8th Street as dangerous and unsafe.



NOTICE OF PUBLIC HEARING TO CONSIDER CONDEMNATION OF PROPERTY

Date: July 22, 2026

TO:

Justin Townsend & Sasha Wilson
942 SW Wildwood Rd
Port Orchard, Wa 98367

Lien Holder:

RE: Unsafe or Dangerous Structure at: **424 S. 18th Street**

Property records reflect that you are the owner or occupant of the above-described Property. This letter is being provided to you pursuant to K.S.A. 12-1751 et seq to advise you that staff for the City of Independence, Kansas, has determined that the Property is “unsafe or dangerous” and subject to condemnation or being ordered to be repaired or demolished.

On **July 09, 2026**, the City Commission adopted a Resolution for a public hearing to be held on **September 10, 2026, at 120 N. 6th Street**, Commission Room, Independence, Kansas 67301. The public hearing will commence at 5:30 p.m. At such hearing, the owner of the Property, the owner’s agent, lienholders or record, and any occupant may appear and show cause why the structure(s) on the Property should not be condemned and ordered repaired or demolished.

On the date of the hearing, the Governing Body shall hear the evidence (if any) presented. If the Governing Body finds that the Property is unsafe or dangerous, then the Governing Body may direct the structure(s) to be repaired or removed and the Property made safe and secure. The Governing Body shall also fix a reasonable time within which the repair or removal shall be commenced and, if the owner fails to commence the repair or removal within the time stated, or fails to diligently prosecute the same to completion, the Governing Body will cause the structure to be repaired or razed and removed.

Please contact us as soon as possible so that we may review the steps that must be undertaken to bring the Property into compliance and no longer be regarded as unsafe or dangerous. To that end, please find enclosed a proposed Remediation Agreement. With a signed Remediation Agreement—together with a scope of work and proof of funds—City staff will can recommend to the Governing Body that further enforcement actions be stayed pending compliance with the Remediation Agreement.



"Delivering Excellence"

Thank you for your prompt attention to this matter.

David Cowan

Assistant City Manager – Building & Code Enforcement

Attachments/Enclosures: Resolution No. **2026.084**

Cc:

Department of Building & Code Enforcement

120 N. 6th Street

Independence, Kansas 67301



State of Kansas, Montgomery County
This instrument was filed for
Record on July 10, 2026 11:38 AM
Recorded in Book 759 Page 291 - 291
Fee: \$0.00 202602244



Marilyn Calhoun
Marilyn Calhoun, Register of Deeds

RESOLUTION NO. 2026-084

A RESOLUTION FIXING A TIME AND PLACE AND PROVIDING FOR NOTICE OF HEARING BEFORE THE GOVERNING BODY OF THE CITY OF INDEPENDENCE, KANSAS, OF WHICH OWNERS, OWNERS AGENTS, LIEN HOLDERS OF RECORD AND ANY OCCUPANTS, IF ANY, OF THE STRUCTURE OR STRUCTURES IDENTIFIED BELOW, IN SAID CITY MAY APPEAR AND SHOW CAUSE WHY SAID STRUCTURE OR STRUCTURES SHOULD NOT BE CONDEMNED AND ORDERED REPAIRED OR DEMOLISHED PURSUANT TO K.S.A. 12-1751 ET. SEQ.

WHEREAS, the enforcing officer of the City of Independence, Kansas, did on the 9th day of July 2026, file with the Governing body of said City, statements, and reports in writing that the structure or structures located on said properties hereinafter described are unsafe and/or dangerous:

Legal: Lot 8, Block 6, Bloom's Addition to the City of Independence, Montgomery County, Kansas.

Common Address: 424 S 18th St.

Mortgage:

NOW, THEREFORE, be it resolved by the Governing Body of the City of Independence, Kansas:

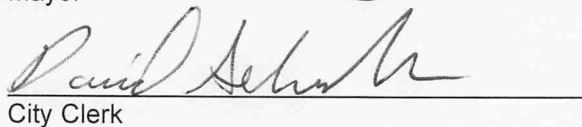
That a public hearing will be held on Thursday, **September 10, 2026** before the Governing Body of the City of Independence, Kansas, at 5:30 p.m., in City Hall, 120 N. 6th Street, Independence, Kansas, at which time the owner, the owners agent, any lien holders of record and any occupant of the structure or structures located on the properties described herein, may appear and show cause why such structure or structures should not be condemned as unsafe and/or dangerous and ordered repaired or removed.

Be it further resolved that the City Clerk shall cause this Resolution to be published one time each week for two consecutive weeks on the same day of each week, that at least thirty (30) days shall elapse between the last publication and the date set for hearing and the City Clerk shall give notice of the aforesaid hearing in the manner provided by Ordinance and by law.

Be it further resolved by the Governing Body of the City of Independence that its authority for the actions set forth herein is established pursuant to K.S.A. 12-1751 ET. SEQ.

Adopted this 9th day of July 2026.


Mayor


City Clerk







CITY OF INDEPENDENCE, KANSAS

Office of the Building Official

120 N. 6th Street • Independence, KS 67301

Phone: (620) 332-2528 • Email: davidc@independenceks.gov

Date: June 5, 2026

To:

Justin Townsend & Sasha Wilson

942 SW Wildwood Rd

Port Orchard, Wa 98367

RE: Notice of Setting a Date for a Public Hearing to Consider Condemnation of Property

Property Location: 424 S. 18th

Lien Holder:

Dear Sir:

On **July 09, 2026**, pursuant to **K.S.A. 12-1752**, the enforcing officer for the City of Independence, Kansas, will request that the **City Commission** set a **public hearing date** to consider whether the structure(s) located at **424 S. 18th.** are unsafe or dangerous, and whether they should be ordered by the Governing Body to be repaired or demolished.

The City has received reports from Code Enforcement staff and neighboring residents indicating that the structure(s) at this address are in poor condition, have no active water service, and is in a state of deterioration.

Observed conditions include exteriors of the buildings in very poor condition. City utility records further indicate that municipal utility services were last active: 05/31/2017.

To avert condemnation proceedings for the above-referenced property, it is imperative that the following actions be undertaken **without delay**:

1. **Mortgage/Lien Holder Information** – Provide the City with the current mortgage or lien holder and insurance information.



“Delivering Excellence”

2. **Structural Repair** – If you intend to repair the structure, submit a **detailed plan and timeline** outlining the steps you will take to restore the building to a safe and usable condition.
3. **Property Maintenance** – Maintain the property in accordance with City Code, including **regular mowing, trimming of vegetation, and removal of all trash and debris.**
4. **Demolition Procedures** – If you choose to demolish the structure, begin the process immediately and provide the City with a **timeline for demolition and site clearance.** A **City-issued demolition permit** is required prior to any such work.

Commission Meeting – Setting the Date for a Public Hearing:

- **Date:** July 9, 2026
- **Time:** 5:30 PM
- **Location:** 120 N. 6th – Commission Meeting Room 1st Floor

Should you need clarification or wish to discuss this matter further, please contact me at your convenience at **(620) 332-2528** (office) or via email at **davidc@independenceks.gov**.

Your prompt cooperation in addressing this matter is appreciated.
Sincerely,

David J. Cowan
Assistant City Manager
Building Official / Director
City of Independence, Kansas

Report Cover Page

Date:	06/04/2026	Prepared For:	City of Independence
Order No.:	3196461	Owner(s):	Justin Townsend and Sasha Wilson
Issuing Office:	Security 1st Title 114 N. Pennsylvania Avenue Independence, KS 67301	Property Address:	424 S 18th St, Independence, KS 67301

Note: The documents linked in this report should be reviewed carefully. These documents, such as covenants conditions and restrictions, may affect the title, ownership and use of the property. You may wish to engage legal assistance in order to fully understand and be aware of the implications of the effect of these documents on your property.

Tax Information:

[087-36-0-20-20-009.00-0](#)

Date: June 04, 2026

File No.: 3196461

Property Address: 424 S 18th St, Independence, KS 67301

Title Contact: Mary Jo Wallis

Contact E-mail: mwallis@security1st.com

OWNERS AND ENCUMBRANCES REPORT

For the exclusive use of:

City of Independence

David Cowan

120 N. 6th Street

Independence, KS 67301

Effective Date of this Report: May 20, 2026 at 7:00 A.M.

On Real Estate described as:

Lot 8, Block 6, Bloom's Addition to the City of Independence, Montgomery County, Kansas

The Public Records located in Montgomery County indicate that:

A. Interest in the Land described in this Report is owned, at the Report Effective Date, by:

Justin Townsend and Sasha Wilson

B. The Real Estate is encumbered by the following Mortgages, Federal Tax Liens, State Tax Liens, Bankruptcies, and Judgments:

1. The County Tax Records indicate that the general real estate taxes are:

General taxes and special assessments for the year 2025:

Full Amount: \$159.20, NOT PAID

Tax Parcel Number: IC 3607

This Report is limited to only the information described above.

This Report is not nor is to be construed as, an Abstract of Title, Title Opinion, or Title Insurance Policy.

The total liability of this Company by reason of losses and damages that may occur by reason of any errors and omissions in this Company's report is limited to the fee it received for the preparation and issuance of this report.

Security 1st Title

Mary Jo Wallis

Licensed Abstracter

[Print Page](#)

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The Parcel Number for this Property is 063-087-36-0-20-20-009.00-0
Quick Ref ID: 4378

Owner Information

Owner Name	TOWNSEND, JUSTIN & WILSON, SASHA
Address	942 SW WILDWOOD RD PORT ORCHARD, WA 98367

Property Situs Address

Address	424 S 18TH ST, Independence, KS 67301
----------------	---------------------------------------

Land Based Classification System

Function	Single family residence (detached)
Activity	Household activities
Ownership	Private-fee simple
Site	Developed site - with buildings

General Property Information

Prop Class	Residential - R
Living Units	1
Zoning	
Neighborhood	108.F
Tax Unit Group	108

Property Factors

Topography	Level - 1
Utilities	All Public - 1
Access	Paved Road - 1 Alley - 7
Fronting	Residential Street - 4
Location	Neighborhood or Spot - 6
Parking Type	Off Street - 1
Parking Quantity	Adequate - 2
Parking Proximity	On Site - 3
Parking Covered	
Parking Uncovered	

2026 Appraised Value

Class	Land	Building	Total
Residential - R	4,370	4,360	8,730
Total	4,370	4,360	8,730

2025 Appraised Value

Class	Land	Building	Total
Residential - R	4,370	4,110	8,480
Total	4,370	4,110	8,480

Tract Description

BLOOMS ADD, S36, T32, R15, BLOCK 6, Lot 8, Lot Width: 050.0 Lot Depth: 140.0 Plat Book/Page 4 /8 Deed Book/Page 703 /283 533 /296 533 /295 533 /294 425 /160 391 /332 235 /511

Deed Information

Book1	Page1	Book2	Page2	Book3	Page3	Book4	Page4
703	283	703	283				

Market Land Information

Method	Type	AC/SF	Eff FF	Depth	D-Fact	Inf1	Fact1	Inf2	Fact2	Ovrd	Class	Value Est
Sqft	Primary Site - 1	7000										4,370

Dwelling Information

Dwelling Information		Comp Sales Information	
Res Type	Single-family Residence	Arch Style	Old Style
Quality	FR	Bsmt Type	Crawl - 2
Year Built	1900	Total Rooms	5
Eff Year		Bedrooms	3
MS Style	Two Story	Family Rooms	
LBCSStruct	Detached SFR unit	Full Baths	1
No. of Units		Half Baths	
Total Living Area		Garage Cap	
Calculated Area	1,181	Foundation	Stone - 4
Main Floor Living Area	772		
Upper Floor Living Area Pct.	53		
CDU	VP		
Phys/Func/Econ	VP-/ /		
Ovr Pct Gd/RCN	/122,930		
Remodel			
Percent Complete			
Assessment Class			
MU Cls/Pct			

Dwelling Components				
Code	Units	Pct	Quality	Year
Wall Furnace		100		
Wood Deck (SF) with Roof	60			
Composition Shingle		100		
Plumbing Fixtures (#)	5			
Automatic Floor Cover Allowance				
Wood Deck (SF) with Roof	144			
Frame, Siding, Wood		100		

Raised Subfloor (% or SF)		100		
Plumbing Rough-ins (#)		1		

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TECHNOLOGIES



REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
September 10, 2026

Department Admin

Director Approval David Cowan

AGENDA ITEM Public Hearing to consider the condemnation of 522 N. 12th Street as dangerous and unsafe.

SUMMARY RECOMMENDATION City Staff recommends condemnation as dangerous and unsafe.

BACKGROUND The structure located at 522 N. 12th Street has been reported to the City as being in a deteriorated condition and without utility service for an unknown period of time. City staff has been in contact with the property owner, who indicated that he would review his options and meet with City staff prior to the September 10, 2026, Commission meeting.

Based on the current condition of the property, City staff recommends that the structure be condemned as dangerous and unsafe. Staff will provide the Commission with an update if additional information or a plan for the property is received from the owner prior to the meeting.

FINANCIAL INFORMATION The cost of removal if the owner fails to commence repair or removal of the structure.

SUGGESTED MOTION I move to adopt a resolution condemning 522 N. 12th Street as dangerous and unsafe.

SUPPORTING DOCUMENTS

1. RESOLUTION 2026-128 - CONDEMNATION - DAYS - 522 N 12th
2. Photo - Aug 31
3. 1st Notice of Public Hearing 07092026
4. 2026-085 - Condemnation - P_H - 522 N 12th
5. 3196453_OE_Report
6. Parcel - 522 N 12th

RESOLUTION NO. 2026-127

A RESOLUTION FINDING THAT THE STRUCTURE, OR STRUCTURES, LOCATED ON THE FOLLOWING TRACT/PARCEL IN THE CITY OF INDEPENDENCE, MONTGOMERY COUNTY, KANSAS, IS UNSAFE AND DANGEROUS AND ORDERED CONDEMNED AND DIRECTING SAID STRUCTURE, OR STRUCTURES, TO BE REPAIRED OR REMOVED AND THE PREMISES MADE SAFE AND SECURE. SAID REPAIR OR REMOVAL WILL COMMENCE WITHIN **30 DAYS** OF THE PUBLICATION OF THIS RESOLUTION.

Legal Description

Lot 8, Block 6, Bloom's Addition to the City of Independence, Montgomery County, Kansas

Common Address

424 S 18th St

Mortgage

WHEREAS, the Building Inspector of the City of Independence, Kansas, did on the 9th day of July 2026, file with the Governing body of said City, a statement in writing that the structure, or structures, located on the above described tract/parcel is unsafe and/or dangerous; and

WHEREAS, the Governing body did by **Res. #2026—084**, dated **July 9, 2026**, fix a time and place of hearing at which time the owner, his or her agent, any lien holders of record and any occupant of such structure, or structures, could appear and show cause why such structure, or structures, should not be condemned and ordered repaired and/or demolished and further provided for the giving of notice thereof as provided by law; and

WHEREAS, such resolution was published in the official city newspaper on **July 16, 2026 and July 23, 2026**, a copy of such resolution and notice was mailed to the owner, his or her agent; any lien holders of record and any occupant of the structure, or structures, at his or her last known place of residence, at which hearing the governing body heard all persons and considered all evidence presented by interested parties, including the Building Inspector of the City of Independence, Kansas.

NOW, THEREFORE, be it resolved by the Governing Body of the City of Independence, Kansas:

The said governing body hereby finds that the structure, or structures, located on the following described tract/parcel in the City of Independence, Montgomery County, Kansas:

Legal Description

Lot 8, Block 6, Bloom's Addition to the City of Independence, Montgomery County, Kansas

Common Address

424 S 18th St

Mortgage

Is unsafe and dangerous and constitutes a blight and therefore should be and is hereby condemned and it is hereby directed that such structure, or structures, be repaired or removed and the premises made safe and secure. The owner of the structure, or structures, is hereby given **30 days** from the publication of this resolution within which to commence such repair or removal and the premises made safe and secure. If the owner of such structure, or structures fails to diligently prosecute the same until the work is completed, said governing body will cause the structure, or structures, to be razed and removed, in order to make the premises safe and secure.

BE IT FURTHER RESOLVED, that the City Clerk shall cause this resolution to be published once in the official city newspaper and a copy mailed to the owner, his or her agent, lien holders and occupants as provided by law and a copy of said resolution shall be filed with the Montgomery County Register of Deeds.

Adopted this 10th day of September, 2026.

(SEAL)

Mayor

City Clerk

522 N. 12th – Aug 31st





NOTICE OF PUBLIC HEARING TO CONSIDER CONDEMNATION OF PROPERTY

Date: July 22, 2026

TO:

Josh Heller
120 W. Myrtle
Independence, Ks. 67301

Lien Holder:

RE: Unsafe or Dangerous Structure at: **522 N. 12th**

Property records reflect that you are the owner or occupant of the above-described Property. This letter is being provided to you pursuant to K.S.A. 12-1751 et seq to advise you that staff for the City of Independence, Kansas, has determined that the Property is “unsafe or dangerous” and subject to condemnation or being ordered to be repaired or demolished.

On **July 09, 2026**, the City Commission adopted a Resolution for a public hearing to be held on **September 10, 2026, at 120 N. 6th Street**, Commission Room, Independence, Kansas 67301. The public hearing will commence at 5:30 p.m. At such hearing, the owner of the Property, the owner’s agent, lienholders or record, and any occupant may appear and show cause why the structure(s) on the Property should not be condemned and ordered repaired or demolished.

On the date of the hearing, the Governing Body shall hear the evidence (if any) presented. If the Governing Body finds that the Property is unsafe or dangerous, then the Governing Body may direct the structure(s) to be repaired or removed and the Property made safe and secure. The Governing Body shall also fix a reasonable time within which the repair or removal shall be commenced and, if the owner fails to commence the repair or removal within the time stated, or fails to diligently prosecute the same to completion, the Governing Body will cause the structure to be repaired or razed and removed.

Please contact us as soon as possible so that we may review the steps that must be undertaken to bring the Property into compliance and no longer be regarded as unsafe or dangerous. To that end, please find enclosed a proposed Remediation Agreement. With a signed Remediation Agreement—together with a scope of work and proof of funds—City staff will can recommend to the Governing Body that further enforcement actions be stayed pending compliance with the Remediation Agreement.



Department of Building & Code Enforcement

120 N. 6th Street

Independence, Kansas 67301

Thank you for your prompt attention to this matter.

David Cowan

Assistant City Manager – Building & Code Enforcement

Attachments/Enclosures: Resolution No. **2026.085**

Cc:



State of Kansas, Montgomery County
This instrument was filed for
Record on July 10, 2026 11:39 AM
Recorded in Book 759 Page 292 - 292
Fee: \$0.00 202602245



Marilyn Calhoun

Marilyn Calhoun, Register of Deeds

RESOLUTION NO. 2026-085

A RESOLUTION FIXING A TIME AND PLACE AND PROVIDING FOR NOTICE OF HEARING BEFORE THE GOVERNING BODY OF THE CITY OF INDEPENDENCE, KANSAS, OF WHICH OWNERS, OWNERS AGENTS, LIEN HOLDERS OF RECORD AND ANY OCCUPANTS, IF ANY, OF THE STRUCTURE OR STRUCTURES IDENTIFIED BELOW, IN SAID CITY MAY APPEAR AND SHOW CAUSE WHY SAID STRUCTURE OR STRUCTURES SHOULD NOT BE CONDEMNED AND ORDERED REPAIRED OR DEMOLISHED PURSUANT TO K.S.A. 12-1751 ET. SEQ.

WHEREAS, the enforcing officer of the City of Independence, Kansas, did on the 9th day of July 2026, file with the Governing body of said City, statements, and reports in writing that the structure or structures located on said properties hereinafter described are unsafe and/or dangerous:

- **Legal:** Lot 15, Taylor's Sub-division of Out Lot 6, Original to the City of Independence, Montgomery County, Kansas.

Common Address: 522 N 12th St.

Mortgage:

NOW, THEREFORE, be it resolved by the Governing Body of the City of Independence, Kansas:

That a public hearing will be held on Thursday, **September 10, 2026** before the Governing Body of the City of Independence, Kansas, at 5:30 p.m., in City Hall, 120 N. 6th Street, Independence, Kansas, at which time the owner, the owners agent, any lien holders of record and any occupant of the structure or structures located on the properties described herein, may appear and show cause why such structure or structures should not be condemned as unsafe and/or dangerous and ordered repaired or removed.

Be it further resolved that the City Clerk shall cause this Resolution to be published one time each week for two consecutive weeks on the same day of each week, that at least thirty (30) days shall elapse between the last publication and the date set for hearing and the City Clerk shall give notice of the aforesaid hearing in the manner provided by Ordinance and by law.

Be it further resolved by the Governing Body of the City of Independence that its authority for the actions set forth herein is established pursuant to K.S.A. 12-1751 ET. SEQ.

Adopted this 9th day of July 2026.


Mayor


City Clerk

(SEAL)



Report Cover Page

Date:	06/04/2026	Prepared For:	City of Independence
Order No.:	3196453	Owner(s):	Josh Heller
Issuing Office:	Security 1st Title 114 N. Pennsylvania Avenue Independence, KS 67301	Property Address:	522 N 12th St, Independence, KS 67301

Note: The documents linked in this report should be reviewed carefully. These documents, such as covenants conditions and restrictions, may affect the title, ownership and use of the property. You may wish to engage legal assistance in order to fully understand and be aware of the implications of the effect of these documents on your property.

Vesting Documents:

[Montgomery county at book 614 page 296](#)

Tax Information:

[087-25-0-40-26-002.00-0](#)

Date: June 04, 2026
Property Address: 522 N 12th St, Independence, KS
67301

File No.: 3196453
Title Contact: Mary Jo Wallis
Contact E-mail: mwallis@security1st.com

OWNERS AND ENCUMBRANCES REPORT

For the exclusive use of:

City of Independence
David Cowan
120 N. 6th Street
Independence, KS 67301

Effective Date of this Report: May 20, 2026 at 7:00 A.M.

On Real Estate described as:

Lot 15, Taylor's Sub-division of Out Lot 6, Original City of Independence, Montgomery County, Kansas

The Public Records located in Montgomery County indicate that:

A. Interest in the Land described in this Report is owned, at the Report Effective Date, by:

Josh Heller

B. The Real Estate is encumbered by the following Mortgages, Federal Tax Liens, State Tax Liens, Bankruptcies, and Judgments:

1. The County Tax Records indicate that the general real estate taxes are:

General taxes and special assessments for the year 2025:

Full Amount: \$642.54, PAID
Tax Parcel Number: IC 1565

2. Any child support and/or property equalization payment due to Lensi Danele Heller, from Josh Wayne Heller, as set out in Montgomery County District Court Case No. 2018-DM-000085C, dated October 15, 2020, titled Lensi Danele Heller, Plaintiff vs. Josh Wayne Heller, Defendant.

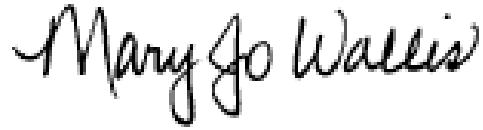
This Report is limited to only the information described above.

This Report is not nor is to be construed as, an Abstract of Title, Title Opinion, or Title Insurance Policy.

The total liability of this Company by reason of losses and damages that may occur by reason of any errors and

omissions in this Company's report is limited to the fee it received for the preparation and issuance of this report.

Security 1st Title

A handwritten signature in black ink that reads "Mary Jo Wallis". The signature is written in a cursive, flowing style.

Licensed Abstracter

Print Page

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The Parcel Number for this Property is 063-087-25-0-40-26-002.00-0
Quick Ref ID: 3395

Owner Information

Owner Name	HELLER, JOSH
Address	120 W MYRTLE INDEPENDENCE, KS 67301

Property Situs Address

Address	522 N 12TH ST, Independence, KS 67301
----------------	---------------------------------------

Land Based Classification System

Function	Single family residence (detached)
Activity	Household activities
Ownership	Private-fee simple
Site	Developed site - with buildings

General Property Information

Prop Class	Residential - R
Living Units	1
Zoning	
Neighborhood	108.A
Tax Unit Group	108

Property Factors

Topography	Level - 1
Utilities	All Public - 1
Access	Paved Road - 1 Alley - 7
Fronting	Residential Street - 4
Location	Neighborhood or Spot - 6
Parking Type	On and Off Street - 3
Parking Quantity	Adequate - 2
Parking Proximity	On Site - 3
Parking Covered	
Parking Uncovered	

2026 Appraised Value

Class	Land	Building	Total
Residential - R	11,180	24,110	35,290
Total	11,180	24,110	35,290

2025 Appraised Value

Class	Land	Building	Total
Residential - R	11,180	23,080	34,260
Total	11,180	23,080	34,260

Tract Description

TAYLOR SUB OL 6, S25, T32, R15, Lot 15, 7607 SQUARE FEET, Lot Width: 050.0 Lot Depth: 140.0 Plat Book/Page 4 /7 Deed Book/Page 614 /296 588 /359 363 /584

Deed Information

Book1	Page1	Book2	Page2	Book3	Page3	Book4	Page4
614	296	588	359	614	296		

Market Land Information

Method	Type	AC/SF	Eff FF	Depth	D-Fact	Inf1	Fact1	Inf2	Fact2	Ovrd	Class	Value Est
Sqft	Primary Site - 1	7607										11,180

Dwelling Information

Dwelling Information		Comp Sales Information	
Res Type	Single-family Residence	Arch Style	Bungalow
Quality	FR-	Bsmt Type	Crawl - 2
Year Built	1900	Total Rooms	4
Eff Year		Bedrooms	2
MS Style	One Story	Family Rooms	
LBCSStruct	Detached SFR unit	Full Baths	1
No. of Units		Half Baths	
Total Living Area		Garage Cap	
Calculated Area	808	Foundation	Stone - 4
Main Floor Living Area	808		
Upper Floor Living Area Pct.			
CDU	FR		
Phys/Func/Econ	FR-/ /		
Ovr Pct Gd/RCN	/95,250		
Remodel			
Percent Complete			
Assessment Class			
MU Cls/Pct			

Dwelling Components				
Code	Units	Pct	Quality	Year
Electric Radiant Heat		50		
Enclosed Wood Deck (SF), Solid Wall	96			
Composition Shingle		100		
Plumbing Fixtures (#)	5			
Automatic Floor Cover Allowance				
Enclosed Wood Deck (SF), Solid Wall	40			
Frame, Siding, Vinyl		100		
Raised Subfloor (% or SF)		100		
Plumbing Rough-ins (#)	1			

Building Improvements																					
Id	Occupancy	MSCls	Rank	Qty	Yr Blt	Eff Yr	LBCS	Area	Perim	Hgt	Dimensions	Stories	Phys	Func	Econ	OVR%	Rsn	Cls	RCN	%Gd	Value
15	Tool Shed	D	1.00	1	1920			360	76	8	20 X 18	1	1	1					4,720	2	90

Building Improvement Components							
Id	Code	Units	Pct	Size	Other	Rank	Year
15	Single -Wall-Boards on Wood		100				

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**REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
September 10, 2026**

Department Admin

Director Approval David Cowan

AGENDA ITEM Public Hearing to consider the condemnation of 532 S. 13th Street as dangerous and unsafe.

SUMMARY RECOMMENDATION City Staff recommends condemnation as dangerous and unsafe.

BACKGROUND The structure located at 532 S. 13th Street has been reported to the City for multiple code enforcement violations, concerns regarding the deteriorated condition of the structure, and the absence of utility service for an unknown period of time. City staff has been unable to establish contact with the property owner.

Based on the condition of the property and the lack of corrective action, City staff recommends that the structure be condemned as dangerous and unsafe.

FINANCIAL INFORMATION The cost of removal if the owner fails to commence repair or removal of the structure.

SUGGESTED MOTION I move to adopt a resolution condemning 532 S. 13th Street as dangerous and unsafe.

SUPPORTING DOCUMENTS

1. RESOLUTION 2026-129 - CONDEMNATION - DAYS - 532 S 13th
2. Photo - Aug 31
3. 1st Notice - Public Hearing 07092026
4. 2026-086 - Condemnation - P_H - 532 S 13th
5. 3196404_OE_Report
6. Parcel - 532 S 13th

RESOLUTION NO. 2026-129

A RESOLUTION FINDING THAT THE STRUCTURE, OR STRUCTURES, LOCATED ON THE FOLLOWING TRACT/PARCEL IN THE CITY OF INDEPENDENCE, MONTGOMERY COUNTY, KANSAS, IS UNSAFE AND DANGEROUS AND ORDERED CONDEMNED AND DIRECTING SAID STRUCTURE, OR STRUCTURES, TO BE REPAIRED OR REMOVED AND THE PREMISES MADE SAFE AND SECURE. SAID REPAIR OR REMOVAL WILL COMMENCE WITHIN **30 DAYS** OF THE PUBLICATION OF THIS RESOLUTION.

Legal Description

Lot 12, Block 2 Foster Brothers Sub-division to the City of Independence, Montgomery County, Kansas

Common Address

532 S 13th St

Mortgage

WHEREAS, the Building Inspector of the City of Independence, Kansas, did on the 9th day of July 2026, file with the Governing body of said City, a statement in writing that the structure, or structures, located on the above described tract/parcel is unsafe and/or dangerous; and

WHEREAS, the Governing body did by **Res. #2026—086**, dated **July 9, 2026**, fix a time and place of hearing at which time the owner, his or her agent, any lien holders of record and any occupant of such structure, or structures, could appear and show cause why such structure, or structures, should not be condemned and ordered repaired and/or demolished and further provided for the giving of notice thereof as provided by law; and

WHEREAS, such resolution was published in the official city newspaper on **July 17, 2026 and July 24, 2026**, a copy of such resolution and notice was mailed to the owner, his or her agent; any lien holders of record and any occupant of the structure, or structures, at his or her last known place of residence, at which hearing the governing body heard all persons and considered all evidence presented by interested parties, including the Building Inspector of the City of Independence, Kansas.

NOW, THEREFORE, be it resolved by the Governing Body of the City of Independence, Kansas:

The said governing body hereby finds that the structure, or structures, located on the following described tract/parcel in the City of Independence, Montgomery County, Kansas:

Legal Description

Lot 12, Block 2 Foster Brothers Sub-division to the City of Independence, Montgomery County, Kansas

Common Address

532 S 13th St

Mortgage

Is unsafe and dangerous and constitutes a blight and therefore should be and is hereby condemned and it is hereby directed that such structure, or structures, be repaired or removed and the premises made safe and secure. The owner of the structure, or structures, is hereby given **30 days** from the publication of this resolution within which to commence such repair or removal and the premises made safe and secure. If the owner of such structure, or structures fails to diligently prosecute the same until the work is completed, said governing body will cause the structure, or structures, to be razed and removed, in order to make the premises safe and secure.

BE IT FURTHER RESOLVED, that the City Clerk shall cause this resolution to be published once in the official city newspaper and a copy mailed to the owner, his or her agent, lien holders and occupants as provided by law and a copy of said resolution shall be filed with the Montgomery County Register of Deeds.

Adopted this 10th day of September, 2026.

(SEAL)

Mayor

City Clerk





NOTICE OF PUBLIC HEARING TO CONSIDER CONDEMNATION OF PROPERTY

Date: July 22, 2026

TO:

Kenneth Ellis

526 S. 13th

Independence, Ks. 67301

Lien Holder:

RE: Unsafe or Dangerous Structure at: **532 S. 13th**

Property records reflect that you are the owner or occupant of the above-described Property. This letter is being provided to you pursuant to K.S.A. 12-1751 et seq to advise you that staff for the City of Independence, Kansas, has determined that the Property is “unsafe or dangerous” and subject to condemnation or being ordered to be repaired or demolished.

On **July 09, 2026**, the City Commission adopted a Resolution for a public hearing to be held on **September 10, 2026, at 120 N. 6th Street**, Commission Room, Independence, Kansas 67301. The public hearing will commence at 5:30 p.m. At such hearing, the owner of the Property, the owner’s agent, lienholders or record, and any occupant may appear and show cause why the structure(s) on the Property should not be condemned and ordered repaired or demolished.

On the date of the hearing, the Governing Body shall hear the evidence (if any) presented. If the Governing Body finds that the Property is unsafe or dangerous, then the Governing Body may direct the structure(s) to be repaired or removed and the Property made safe and secure. The Governing Body shall also fix a reasonable time within which the repair or removal shall be commenced and, if the owner fails to commence the repair or removal within the time stated, or fails to diligently prosecute the same to completion, the Governing Body will cause the structure to be repaired or razed and removed.

Please contact us as soon as possible so that we may review the steps that must be undertaken to bring the Property into compliance and no longer be regarded as unsafe or dangerous. To that end, please find enclosed a proposed Remediation Agreement. With a signed Remediation Agreement—together with a scope of work and proof of funds—City staff will can recommend to the Governing Body that further enforcement actions be stayed pending compliance with the Remediation Agreement.



"Delivering Excellence"

Thank you for your prompt attention to this matter.

David Cowan

Assistant City Manager – Building & Code Enforcement

Attachments/Enclosures: Resolution No. **2026.086**

Cc:

Department of Building & Code Enforcement

120 N. 6th Street

Independence, Kansas 67301



State of Kansas, Montgomery County
This instrument was filed for
Record on July 10, 2026 11:40 AM
Recorded in Book 759 Page 293 - 293
Fee: \$0.00 202602246



Marilyn Calhoun

Marilyn Calhoun, Register of Deeds

RESOLUTION NO. 2026-086

A RESOLUTION FIXING A TIME AND PLACE AND PROVIDING FOR NOTICE OF HEARING BEFORE THE GOVERNING BODY OF THE CITY OF INDEPENDENCE, KANSAS, OF WHICH OWNERS, OWNERS AGENTS, LIEN HOLDERS OF RECORD AND ANY OCCUPANTS, IF ANY, OF THE STRUCTURE OR STRUCTURES IDENTIFIED BELOW, IN SAID CITY MAY APPEAR AND SHOW CAUSE WHY SAID STRUCTURE OR STRUCTURES SHOULD NOT BE CONDEMNED AND ORDERED REPAIRED OR DEMOLISHED PURSUANT TO K.S.A. 12-1751 ET. SEQ.

WHEREAS, the enforcing officer of the City of Independence, Kansas, did on the 9th day of July 2026, file with the Governing body of said City, statements, and reports in writing that the structure or structures located on said properties hereinafter described are unsafe and/or dangerous:

↘ **Legal:** Lot 12, Block 2 Foster Brothers Sub-division to the City of Independence, Montgomery County, Kansas.

Common Address: 532 S 13th St.

Mortgage:

NOW, THEREFORE, be it resolved by the Governing Body of the City of Independence, Kansas:

That a public hearing will be held on Thursday, **September 10, 2026** before the Governing Body of the City of Independence, Kansas, at 5:30 p.m., in City Hall, 120 N. 6th Street, Independence, Kansas, at which time the owner, the owners agent, any lien holders of record and any occupant of the structure or structures located on the properties described herein, may appear and show cause why such structure or structures should not be condemned as unsafe and/or dangerous and ordered repaired or removed.

Be it further resolved that the City Clerk shall cause this Resolution to be published one time each week for two consecutive weeks on the same day of each week, that at least thirty (30) days shall elapse between the last publication and the date set for hearing and the City Clerk shall give notice of the aforesaid hearing in the manner provided by Ordinance and by law.

Be it further resolved by the Governing Body of the City of Independence that its authority for the actions set forth herein is established pursuant to K.S.A. 12-1751 ET. SEQ.

Adopted this 9th day of July 2026.

[Signature]

Mayor

[Signature]

City Clerk

(SEAL)



Report Cover Page

Date:	06/09/2026	Prepared For:	City of Independence
Order No.:	3196404	Owner(s):	Kenneth R. Ellis
Issuing Office:	Security 1st Title 114 N. Pennsylvania Avenue Independence, KS 67301	Property Address:	532 S 13th St, Independence, KS 67301

Note: The documents linked in this report should be reviewed carefully. These documents, such as covenants conditions and restrictions, may affect the title, ownership and use of the property. You may wish to engage legal assistance in order to fully understand and be aware of the implications of the effect of these documents on your property.

Vesting Documents:

[Montgomery county at book 698 page 558](#)

Tax Information:

[087-36-0-40-02-025.00-0](#)

Date: June 09, 2026

File No.: 3196404

Property Address: 532 S 13th St, Independence, KS 67301

Title Contact: Mary Jo Wallis

Contact E-mail: mwallis@security1st.com

OWNERS AND ENCUMBRANCES REPORT

For the exclusive use of:

City of Independence

David Cowan

120 N. 6th Street

Independence, KS 67301

Effective Date of this Report: May 20, 2026 at 7:00 A.M.

On Real Estate described as:

Lot 12, Block 2, Foster Brothers Subdivision to the City of Independence, Montgomery County, Kansas

The Public Records located in Montgomery County indicate that:

A. Interest in the Land described in this Report is owned, at the Report Effective Date, by:

Kenneth R. Ellis

B. The Real Estate is encumbered by the following Mortgages, Federal Tax Liens, State Tax Liens, Bankruptcies, and Judgments:

1. The County Tax Records indicated that the real estate taxes are:

General taxes and special assessments for the year 2025 in the amount of \$410.96, NOT PAID.

Tax Parcel No. # 087-36-0-40-02-025-00-0-01

PIN # IC 3062

2. The County Tax Records indicated that the real estate taxes are:

General taxes and special assessments for the year 2024 in the amount of \$397.40, NOT PAID.

Tax Parcel No. # 087-36-0-40-02-025-00-0-01

PIN # IC 3062

3. The County Tax Records indicated that the real estate taxes are:

General taxes and special assessments for the year 2023 in the amount of \$416.06, NOT PAID.

Tax Parcel No. # 087-36-0-40-02-025-00-0-01

PIN # IC 3062

4. The County Tax Records indicated that the real estate taxes are:

General taxes and special assessments for the year 2022 in the amount of \$297.44, NOT PAID.

Tax Parcel No. # 087-36-0-40-02-025-00-0-01

PIN # IC 3062

5. The County Tax Records indicated that the real estate taxes are:

General taxes and special assessments for the fiscal year 2021 in the original amount of \$217.33.

First Installment: \$134.29, PAID

Second Installment: \$83.04, NOT PAID

Property I.D. # 087-36-0-40-02-025-00-0-01

PIN # IC 3062

6. Note: Title to the Land was derived through a tax sale held on November 20, 2020, under a tax foreclosure proceeding in Case No. 20 CV-10 C. The Sheriff's Deed was recorded on January 06, 2021, as Book 698, page [558](#).

If asked to issue a title policy, we would make the following requirements:

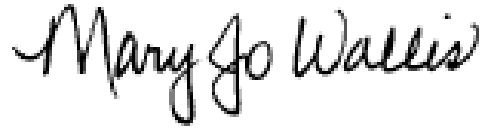
1. Due to the lack of personal service to the prior owners, we require a deed(s) from Sherri R. Schaefer, stating marital status and joined by spouse, if any, to the current applicant owner(s); or
2. Proof, satisfactory to the Company, that personal service of summons was made upon any owner or lienholder in said tax foreclosure proceeding
7. PENDING Case No. MGC-2026-CV-000022: entitled Board of County Commissioners of Montgomery County, Kansas, as Plaintiff(s) vs. Kenneth R. Ellis et al. as Defendant(s), filed in the District Court of MONTGOMERY, Kansas. Cause of Action #552

This Report is limited to only the information described above.

This Report is not nor is to be construed as, an Abstract of Title, Title Opinion, or Title Insurance Policy.

The total liability of this Company by reason of losses and damages that may occur by reason of any errors and omissions in this Company's report is limited to the fee it received for the preparation and issuance of this report.

Security 1st Title

A handwritten signature in black ink that reads "Mary Jo Wallis". The signature is written in a cursive, flowing style.

Licensed Abstracter

Print Page

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The Parcel Number for this Property is 063-087-36-0-40-02-025.00-0
Quick Ref ID: 4585

Owner Information

Owner Name	ELLIS, KENNETH R
Address	526 S 13TH ST INDEPENDENCE, KS 67301

Property Situs Address

Address	532 S 13TH ST, Independence, KS 67301
----------------	---------------------------------------

Land Based Classification System

Function	Single family residence (detached)
Activity	Household activities
Ownership	Private-fee simple
Site	Developed site - with buildings

General Property Information

Prop Class	Residential - R
Living Units	1
Zoning	
Neighborhood	108.A
Tax Unit Group	108

Property Factors

Topography	Level - 1
Utilities	All Public - 1
Access	Paved Road - 1 Alley - 7
Fronting	Dead End - 7
Location	Neighborhood or Spot - 6
Parking Type	On and Off Street - 3
Parking Quantity	Adequate - 2
Parking Proximity	On Site - 3
Parking Covered	
Parking Uncovered	

2026 Appraised Value

Class	Land	Building	Total
Residential - R	10,200	12,370	22,570
Total	10,200	12,370	22,570

2025 Appraised Value

Class	Land	Building	Total
Residential - R	10,200	11,710	21,910
Total	10,200	11,710	21,910

Tract Description

FOSTERS BROS SUB, S36, T32, R15, BLOCK 2, Lot 12, ACRES 0.12, Lot Width: 050.0 Lot Depth: 140.0 Plat Book/Page 4 /21 Deed Book/Page 698 /558 542 /581 437 /002 434 /002 378 /455 377 /202 247 /372

Deed Information

Book1	Page1	Book2	Page2	Book3	Page3	Book4	Page4
698	558	583	611				

Market Land Information

Method	Type	AC/SF	Eff FF	Depth	D-Fact	Inf1	Fact1	Inf2	Fact2	Ovrd	Class	Value Est
Sqft	Primary Site - 1	5227										10,200

Dwelling Information

Dwelling Information		Comp Sales Information	
Res Type	Single-family Residence	Arch Style	Bungalow
Quality	LO	Bsmt Type	Crawl - 2
Year Built	1915	Total Rooms	4
Eff Year		Bedrooms	2
MS Style	One Story	Family Rooms	
LBCSStruct	Detached SFR unit	Full Baths	1
No. of Units		Half Baths	
Total Living Area		Garage Cap	
Calculated Area	728	Foundation	Concrete - 2
Main Floor Living Area	728		
Upper Floor Living Area Pct.			
CDU	PR		
Phys/Func/Econ	VP/ /		
Ovr Pct Gd/RCN	/89,120		
Remodel			
Percent Complete			
Assessment Class			
MU Cls/Pct			

Dwelling Components				
Code	Units	Pct	Quality	Year
Enclosed Wood Deck (SF), Solid Wall	140			
Frame, Wood Shingle		100		
Raised Subfloor (% or SF)		100		
Automatic Floor Cover Allowance				
Raised Slab Porch (SF) with Roof	182			
Composition Shingle		100		
Plumbing Fixtures (#)	5			
Wall Furnace		100		

Building Improvements																			
Id	Occupancy	MSCls	Rank	Qty	Yr Blt	Eff Yr	LBCS	Area	Perim	Hgt	Dimensions	Stories	Phys	Func	Econ	OVR%	Rsn	ClS	RCN
32	Tool Shed	D	1.00	1	1915			216		8		1	1	1					3,280
																			2
																			70

Building Improvement Components							
Id	Code	Units	Pct	Size	Other	Rank	Year
32	Single -Wall-Boards on Wood		100				

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**REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
September 10, 2026**

Department Admin

Director Approval David Cowan

AGENDA ITEM Public Hearing to consider the condemnation of 710 S. 17th Street as dangerous and unsafe.

SUMMARY RECOMMENDATION City Staff recommends condemnation as dangerous and unsafe.

BACKGROUND The structure at 710 S 17th Street has been reported to the City as being in a deteriorated condition and without utility service since 3/31/2018. City Staff has heard from the owner and her intentions to save the house but no further contact has been received. City staff recommends condemnation as dangerous and unsafe.

FINANCIAL INFORMATION The cost of removal if the owner fails to commence repair or removal of the structure.

SUGGESTED MOTION I move to adopt a resolution condemning 710 S. 17th Street as dangerous and unsafe.

SUPPORTING DOCUMENTS

1. RESOLUTION 2026-130 - CONDEMNATION - DAYS - 710 S 17th
2. Photos - Aug 31st
3. 1st Notice Public Hearing - 07092026
4. 2026-087 - Condemnation - P_H - 710 S 17th
5. 3196467_OE_Report
6. Parcel - 710 S 17th

RESOLUTION NO. 2026-130

A RESOLUTION FINDING THAT THE STRUCTURE, OR STRUCTURES, LOCATED ON THE FOLLOWING TRACT/PARCEL IN THE CITY OF INDEPENDENCE, MONTGOMERY COUNTY, KANSAS, IS UNSAFE AND DANGEROUS AND ORDERED CONDEMNED AND DIRECTING SAID STRUCTURE, OR STRUCTURES, TO BE REPAIRED OR REMOVED AND THE PREMISES MADE SAFE AND SECURE. SAID REPAIR OR REMOVAL WILL COMMENCE WITHIN **30 DAYS** OF THE PUBLICATION OF THIS RESOLUTION.

Legal Description

Lots 9 and 10, Block 4, Forest Addition to the City of Independence, Montgomery County, Kansas

Common Address

710 S 17th St

Mortgage

WHEREAS, the Building Inspector of the City of Independence, Kansas, did on the 9th day of July 2026, file with the Governing body of said City, a statement in writing that the structure, or structures, located on the above described tract/parcel is unsafe and/or dangerous; and

WHEREAS, the Governing body did by **Res. #2026—087**, dated **July 9, 2026**, fix a time and place of hearing at which time the owner, his or her agent, any lien holders of record and any occupant of such structure, or structures, could appear and show cause why such structure, or structures, should not be condemned and ordered repaired and/or demolished and further provided for the giving of notice thereof as provided by law; and

WHEREAS, such resolution was published in the official city newspaper on **July 17, 2026 and July 24, 2026**, a copy of such resolution and notice was mailed to the owner, his or her agent; any lien holders of record and any occupant of the structure, or structures, at his or her last known place of residence, at which hearing the governing body heard all persons and considered all evidence presented by interested parties, including the Building Inspector of the City of Independence, Kansas.

NOW, THEREFORE, be it resolved by the Governing Body of the City of Independence, Kansas:

The said governing body hereby finds that the structure, or structures, located on the following described tract/parcel in the City of Independence, Montgomery County, Kansas:

Legal Description

Lots 9 and 10, Block 4, Forest Addition to the City of Independence, Montgomery County, Kansas

Common Address

710 S 17th St

Mortgage

Is unsafe and dangerous and constitutes a blight and therefore should be and is hereby condemned and it is hereby directed that such structure, or structures, be repaired or removed and the premises made safe and secure. The owner of the structure, or structures, is hereby given **30 days** from the publication of this resolution within which to commence such repair or removal and the premises made safe and secure. If the owner of such structure, or structures fails to diligently prosecute the same until the work is completed, said governing body will cause the structure, or structures, to be razed and removed, in order to make the premises safe and secure.

BE IT FURTHER RESOLVED, that the City Clerk shall cause this resolution to be published once in the official city newspaper and a copy mailed to the owner, his or her agent, lien holders and occupants as provided by law and a copy of said resolution shall be filed with the Montgomery County Register of Deeds.

Adopted this 10th day of September, 2026.

(SEAL)

Mayor

City Clerk



710 S 17th Street – August 31st



NOTICE OF PUBLIC HEARING TO CONSIDER CONDEMNATION OF PROPERTY

Date: July 22, 2026

TO:

Albert & Martha McCoy
826 S 18th St.
Independence, Ks. 67301

Lien Holder:

RE: Unsafe or Dangerous Structure at: **710 S. 17th**

Property records reflect that you are the owner or occupant of the above-described Property. This letter is being provided to you pursuant to K.S.A. 12-1751 et seq to advise you that staff for the City of Independence, Kansas, has determined that the Property is “unsafe or dangerous” and subject to condemnation or being ordered to be repaired or demolished.

On **July 09, 2026**, the City Commission adopted a Resolution for a public hearing to be held on **September 10, 2026, at 120 N. 6th Street**, Commission Room, Independence, Kansas 67301. The public hearing will commence at 5:30 p.m. At such hearing, the owner of the Property, the owner’s agent, lienholders or record, and any occupant may appear and show cause why the structure(s) on the Property should not be condemned and ordered repaired or demolished.

On the date of the hearing, the Governing Body shall hear the evidence (if any) presented. If the Governing Body finds that the Property is unsafe or dangerous, then the Governing Body may direct the structure(s) to be repaired or removed and the Property made safe and secure. The Governing Body shall also fix a reasonable time within which the repair or removal shall be commenced and, if the owner fails to commence the repair or removal within the time stated, or fails to diligently prosecute the same to completion, the Governing Body will cause the structure to be repaired or razed and removed.

Please contact us as soon as possible so that we may review the steps that must be undertaken to bring the Property into compliance and no longer be regarded as unsafe or dangerous. To that end, please find enclosed a proposed Remediation Agreement. With a signed Remediation Agreement—together with a scope of work and proof of funds—City staff will can recommend to the Governing Body that further enforcement actions be stayed pending compliance with the Remediation Agreement.



"Delivering Excellence"

Thank you for your prompt attention to this matter.

David Cowan

Assistant City Manager – Building & Code Enforcement

Attachments/Enclosures: Resolution No. **2026.087**

Cc:

Department of Building & Code Enforcement

120 N. 6th Street

Independence, Kansas 67301



State of Kansas, Montgomery County
This instrument was filed for
Record on July 10, 2026 11:41 AM
Recorded in Book 759 Page 294 - 294
Fee: \$0.00 202602247



Marilyn Calhoun

Marilyn Calhoun, Register of Deeds

RESOLUTION NO. 2026-087

A RESOLUTION FIXING A TIME AND PLACE AND PROVIDING FOR NOTICE OF HEARING BEFORE THE GOVERNING BODY OF THE CITY OF INDEPENDENCE, KANSAS, OF WHICH OWNERS, OWNERS AGENTS, LIEN HOLDERS OF RECORD AND ANY OCCUPANTS, IF ANY, OF THE STRUCTURE OR STRUCTURES IDENTIFIED BELOW, IN SAID CITY MAY APPEAR AND SHOW CAUSE WHY SAID STRUCTURE OR STRUCTURES SHOULD NOT BE CONDEMNED AND ORDERED REPAIRED OR DEMOLISHED PURSUANT TO K.S.A. 12-1751 ET. SEQ.

WHEREAS, the enforcing officer of the City of Independence, Kansas, did on the 9th day of July 2026, file with the Governing body of said City, statements, and reports in writing that the structure or structures located on said properties hereinafter described are unsafe and/or dangerous:

✓ **Legal:** Lots 9 and 10, Block 4, Forest Addition to the City of Independence, Montgomery County, Kansas.

Common Address: 710 S 17th St.

Mortgage:

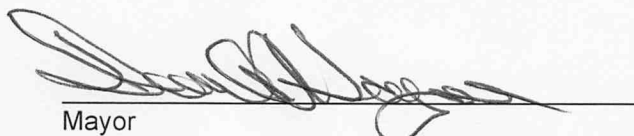
NOW, THEREFORE, be it resolved by the Governing Body of the City of Independence, Kansas:

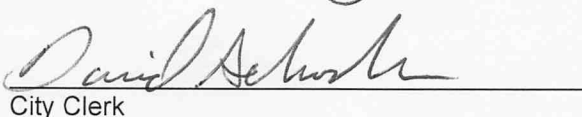
That a public hearing will be held on Thursday, **September 10, 2026** before the Governing Body of the City of Independence, Kansas, at 5:30 p.m., in City Hall, 120 N. 6th Street, Independence, Kansas, at which time the owner, the owners agent, any lien holders of record and any occupant of the structure or structures located on the properties described herein, may appear and show cause why such structure or structures should not be condemned as unsafe and/or dangerous and ordered repaired or removed.

Be it further resolved that the City Clerk shall cause this Resolution to be published one time each week for two consecutive weeks on the same day of each week, that at least thirty (30) days shall elapse between the last publication and the date set for hearing and the City Clerk shall give notice of the aforesaid hearing in the manner provided by Ordinance and by law.

Be it further resolved by the Governing Body of the City of Independence that its authority for the actions set forth herein is established pursuant to K.S.A. 12-1751 ET. SEQ.

Adopted this 9th day of July 2026.


Mayor


City Clerk

(SEAL)



Report Cover Page

Date:	06/04/2026	Prepared For:	City of Independence
Order No.:	3196467	Owner(s):	Albert McCoy and Martha McCoy
Issuing Office:	Security 1st Title 114 N. Pennsylvania Avenue Independence, KS 67301	Property Address:	710 S 17th St, Independence, KS 67301

Note: The documents linked in this report should be reviewed carefully. These documents, such as covenants conditions and restrictions, may affect the title, ownership and use of the property. You may wish to engage legal assistance in order to fully understand and be aware of the implications of the effect of these documents on your property.

Vesting Documents:

[Montgomery county at book 307 page 278](#)

Tax Information:

[087-36-0-40-09-009.00-0](#)

Date: June 04, 2026

File No.: 3196467

Property Address: 710 S 17th St, Independence, KS 67301

Title Contact: Mary Jo Wallis

Contact E-mail: mwallis@security1st.com

OWNERS AND ENCUMBRANCES REPORT

For the exclusive use of:

City of Independence

David Cowan

120 N. 6th Street

Independence, KS 67301

Effective Date of this Report: May 20, 2026 at 7:00 A.M.

On Real Estate described as:

Lots 9 and 10, Block 4, Forest Addition to the City of Independence, Montgomery County, Kansas

The Public Records located in Montgomery County indicate that:

A. Interest in the Land described in this Report is owned, at the Report Effective Date, by:

Albert McCoy and Martha McCoy

B. The Real Estate is encumbered by the following Mortgages, Federal Tax Liens, State Tax Liens, Bankruptcies, and Judgments:

1. The County Tax Records indicate that the general real estate taxes are:

General taxes and special assessments for the year 2025:

Full Amount: \$124.92, NOT PAID

Tax Parcel Number: IC 2747

2. The County Tax Records indicate that the general real estate taxes are:

General taxes and special assessments for the year 2024:

Full Amount: \$120.00, NOT PAID

Tax Parcel Number: IC 2747

3. The County Tax Records indicate that the general real estate taxes are:

General taxes and special assessments for the year 2023:

Full Amount: \$116.46, NOT PAID

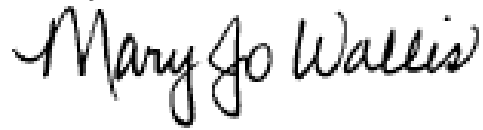
Tax Parcel Number: IC 2747

This Report is limited to only the information described above.

This Report is not nor is to be construed as, an Abstract of Title, Title Opinion, or Title Insurance Policy.

The total liability of this Company by reason of losses and damages that may occur by reason of any errors and omissions in this Company's report is limited to the fee it received for the preparation and issuance of this report.

Security 1st Title

A handwritten signature in black ink that reads "Mary Jo Wallis". The signature is written in a cursive, flowing style.

Licensed Abstracter

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The Parcel Number for this Property is 063-087-36-0-40-09-009.00-0
Quick Ref ID: 4618

Owner Information

Owner Name	MCCOY, ALBERT & MARTHA
Address	826 S 18TH ST INDEPENDENCE, KS 67301

Property Situs Address

Address	710 S 17TH ST, Independence, KS 67301
----------------	---------------------------------------

Land Based Classification System

Function	Single family residence (detached)
Activity	Household activities
Ownership	Private-fee simple
Site	Developed site - with buildings

General Property Information

Prop Class	Residential - R
Living Units	1
Zoning	
Neighborhood	108.F
Tax Unit Group	108

Property Factors

Topography	Level - 1
Utilities	All Public - 1
Access	Paved Road - 1
Fronting	Residential Street - 4
Location	Neighborhood or Spot - 6
Parking Type	On and Off Street - 3
Parking Quantity	Adequate - 2
Parking Proximity	On Site - 3
Parking Covered	
Parking Uncovered	

2026 Appraised Value

Class	Land	Building	Total
Residential - R	3,480	3,380	6,860
Total	3,480	3,380	6,860

2025 Appraised Value

Class	Land	Building	Total
Residential - R	3,480	3,180	6,660
Total	3,480	3,180	6,660

Tract Description

FOREST ADD, S36, T32, R15, BLOCK 4, Lot 9,10; Lot Width: 120.0 Lot Depth: 125.0 Plat Book/Page 4 /12 Lot Width: 120.0 Lot Depth: 125.0 Deed Book/Page 307 /278

Deed Information

Book1	Page1	Book2	Page2	Book3	Page3	Book4	Page4
307	278						

Market Land Information

Method	Type	AC/SF	Eff FF	Depth	D-Fact	Inf1	Fact1	Inf2	Fact2	Ovrd	Class	Value Est
Sqft	vacant- 2	7500										1,740

Dwelling Information

Dwelling Information		Comp Sales Information	
Res Type	Single-family Residence	Arch Style	Old Style
Quality	FR	Bsmt Type	Crawl - 2
Year Built	1915	Total Rooms	6
Eff Year		Bedrooms	4
MS Style	1 1/2 Story Finished	Family Rooms	
LBCSStruct	Detached SFR unit	Full Baths	1
No. of Units		Half Baths	
Total Living Area		Garage Cap	
Calculated Area	1,107	Foundation	Stone - 4
Main Floor Living Area	774		
Upper Floor Living Area Pct.	43		
CDU	UN		
Phys/Func/Econ	UN/ /		
Ovr Pct Gd/RCN	/137,090		
Remodel			
Percent Complete			
Assessment Class			
MU Cls/Pct			

Dwelling Components

Code	Units	Pct	Quality	Year
Enclosed Wood Deck (SF), Solid Wall	84			
Frame, Siding/Shingle		100		
Raised Subfloor (% or SF)		100		
Plumbing Rough-ins (#)	1			
Raised Slab Porch (SF)	144		2	1940
Enclosed Wood Deck (SF), Screened Walls	140			
Enclosed Wood Deck (SF), Screened Walls	105			

Composition Shingle		100		
Plumbing Fixtures (#)	5			
Automatic Floor Cover Allowance				
Wall Furnace		100		
Enclosed Wood Deck (SF), Screened Walls	48			

Dwelling 2 -

Dwelling Information		Comp Sales Information	
Res Type	Single-family Residence	Arch Style	Bungalow
Quality	FR-	Bsmt Type	Crawl - 2
Year Built	1940	Total Rooms	3
Eff Year		Bedrooms	2
MS Style	One Story	Family Rooms	
LBCSStruct	Detached SFR unit	Full Baths	1
No. of Units		Half Baths	
Total Living Area		Garage Cap	
Calculated Area	651	Foundation	Stone - 4
Main Floor Living Area	651		
Upper Floor Living Area Pct.			
CDU	VP-		
Phys/Func/Econ	VP- / /		
Ovr Pct Gd/RCN	/81,530		
Remodel			
Percent Complete			
Assessment Class			
MU Cls/Pct			

Dwelling Components				
Code	Units	Pct	Quality	Year
Wood Deck (SF) with Roof	84			
Composition Shingle		100		
Plumbing Fixtures (#)	5			
Automatic Floor Cover Allowance				
Enclosed Wood Deck (SF), Solid Wall	81			
Frame, Siding, Wood		100		
Raised Subfloor (% or SF)		100		
Plumbing Rough-ins (#)	1			
Wall Furnace		100		

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TECHNOLOGIES



**REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
September 10, 2026**

Department Admin

Director Approval David Cowan

AGENDA ITEM Public Hearing to consider the condemnation of 813 S. 18th Street as dangerous and unsafe.

SUMMARY RECOMMENDATION City Staff recommends condemnation as dangerous and unsafe.

BACKGROUND The structure at 813 S 18th Street has been reported to the City as being in a deteriorated condition and without utility service since 5/31/2017. City Staff has had no contact with the owner. Staff recommends condemnation as dangerous and unsafe.

FINANCIAL INFORMATION The cost of removal if the owner fails to commence repair or removal of the structure.

SUGGESTED MOTION I move to adopt a resolution condemning 813 S. 18th Street as dangerous and unsafe.

SUPPORTING DOCUMENTS

1. RESOLUTION 2026-131 - CONDEMNATION - DAYS - 813 S 18th
2. Photo - Aug 31st
3. 1st Notice - Public Hearing 07092026
4. 2026-088 - Condemnation - P_H - 813 S 18th
5. 3196463_OE_Report
6. Parcel - 813 S 18th

RESOLUTION NO. 2026-131

A RESOLUTION FINDING THAT THE STRUCTURE, OR STRUCTURES, LOCATED ON THE FOLLOWING TRACT/PARCEL IN THE CITY OF INDEPENDENCE, MONTGOMERY COUNTY, KANSAS, IS UNSAFE AND DANGEROUS AND ORDERED CONDEMNED AND DIRECTING SAID STRUCTURE, OR STRUCTURES, TO BE REPAIRED OR REMOVED AND THE PREMISES MADE SAFE AND SECURE. SAID REPAIR OR REMOVAL WILL COMMENCE WITHIN **30 DAYS** OF THE PUBLICATION OF THIS RESOLUTION.

Legal Description

Lots 3 and 4, Block 17, Blooms Addition to the City of Independence, Montgomery County, Kansas

Common Address

813 S 18th St

Mortgage

WHEREAS, the Building Inspector of the City of Independence, Kansas, did on the 9th day of July 2026, file with the Governing body of said City, a statement in writing that the structure, or structures, located on the above described tract/parcel is unsafe and/or dangerous; and

WHEREAS, the Governing body did by **Res. #2026—088**, dated **July 9, 2026**, fix a time and place of hearing at which time the owner, his or her agent, any lien holders of record and any occupant of such structure, or structures, could appear and show cause why such structure, or structures, should not be condemned and ordered repaired and/or demolished and further provided for the giving of notice thereof as provided by law; and

WHEREAS, such resolution was published in the official city newspaper on **July 17, 2026 and July 24, 2026**, a copy of such resolution and notice was mailed to the owner, his or her agent; any lien holders of record and any occupant of the structure, or structures, at his or her last known place of residence, at which hearing the governing body heard all persons and considered all evidence presented by interested parties, including the Building Inspector of the City of Independence, Kansas.

NOW, THEREFORE, be it resolved by the Governing Body of the City of Independence, Kansas:

The said governing body hereby finds that the structure, or structures, located on the following described tract/parcel in the City of Independence, Montgomery County, Kansas:

Legal Description

Lots 3 and 4, Block 17, Blooms Addition to the City of Independence, Montgomery County, Kansas

Common Address

813 S 18th St

Mortgage

Is unsafe and dangerous and constitutes a blight and therefore should be and is hereby condemned and it is hereby directed that such structure, or structures, be repaired or removed and the premises made safe and secure. The owner of the structure, or structures, is hereby given **30 days** from the publication of this resolution within which to commence such repair or removal and the premises made safe and secure. If the owner of such structure, or structures fails to diligently prosecute the same until the work is completed, said governing body will cause the structure, or structures, to be razed and removed, in order to make the premises safe and secure.

BE IT FURTHER RESOLVED, that the City Clerk shall cause this resolution to be published once in the official city newspaper and a copy mailed to the owner, his or her agent, lien holders and occupants as provided by law and a copy of said resolution shall be filed with the Montgomery County Register of Deeds.

Adopted this 10th day of September, 2026.

(SEAL)

Mayor

City Clerk





NOTICE OF PUBLIC HEARING TO CONSIDER CONDEMNATION OF PROPERTY

Date: July 22, 2026

TO:

Luella Green & Patricia Farley

410 N. 11th St.

Independence, Ks. 67301

Lien Holder:

RE: Unsafe or Dangerous Structure at: **813 S. 18th**

Property records reflect that you are the owner or occupant of the above-described Property. This letter is being provided to you pursuant to K.S.A. 12-1751 et seq to advise you that staff for the City of Independence, Kansas, has determined that the Property is “unsafe or dangerous” and subject to condemnation or being ordered to be repaired or demolished.

On **July 09, 2026**, the City Commission adopted a Resolution for a public hearing to be held on **September 10, 2026, at 120 N. 6th Street**, Commission Room, Independence, Kansas 67301. The public hearing will commence at 5:30 p.m. At such hearing, the owner of the Property, the owner’s agent, lienholders or record, and any occupant may appear and show cause why the structure(s) on the Property should not be condemned and ordered repaired or demolished.

On the date of the hearing, the Governing Body shall hear the evidence (if any) presented. If the Governing Body finds that the Property is unsafe or dangerous, then the Governing Body may direct the structure(s) to be repaired or removed and the Property made safe and secure. The Governing Body shall also fix a reasonable time within which the repair or removal shall be commenced and, if the owner fails to commence the repair or removal within the time stated, or fails to diligently prosecute the same to completion, the Governing Body will cause the structure to be repaired or razed and removed.

Please contact us as soon as possible so that we may review the steps that must be undertaken to bring the Property into compliance and no longer be regarded as unsafe or dangerous. To that end, please find enclosed a proposed Remediation Agreement. With a signed Remediation Agreement—together with a scope of work and proof of funds—City staff will can recommend to the Governing Body that further enforcement actions be stayed pending compliance with the Remediation Agreement.



"Delivering Excellence"

Thank you for your prompt attention to this matter.

David Cowan

Assistant City Manager – Building & Code Enforcement

Attachments/Enclosures: Resolution No. **2026.088**

Cc:

Department of Building & Code Enforcement

120 N. 6th Street

Independence, Kansas 67301



State of Kansas, Montgomery County
This instrument was filed for
Record on July 10, 2026 11:42 AM
Recorded in Book 759 Page 295 - 295
Fee: \$0.00 202602248



Marilyn Calhoun

Marilyn Calhoun, Register of Deeds

RESOLUTION NO. 2026-088

A RESOLUTION FIXING A TIME AND PLACE AND PROVIDING FOR NOTICE OF HEARING BEFORE THE GOVERNING BODY OF THE CITY OF INDEPENDENCE, KANSAS, OF WHICH OWNERS, OWNERS AGENTS, LIEN HOLDERS OF RECORD AND ANY OCCUPANTS, IF ANY, OF THE STRUCTURE OR STRUCTURES IDENTIFIED BELOW, IN SAID CITY MAY APPEAR AND SHOW CAUSE WHY SAID STRUCTURE OR STRUCTURES SHOULD NOT BE CONDEMNED AND ORDERED REPAIRED OR DEMOLISHED PURSUANT TO K.S.A. 12-1751 ET. SEQ.

WHEREAS, the enforcing officer of the City of Independence, Kansas, did on the 9th day of July 2026, file with the Governing body of said City, statements, and reports in writing that the structure or structures located on said properties hereinafter described are unsafe and/or dangerous:

Legal: Lots 3 and 4, Block 17, Blooms Addition to the City of Independence, Montgomery County, Kansas.

Common Address: 813 S 18th St.

Mortgage:

NOW, THEREFORE, be it resolved by the Governing Body of the City of Independence, Kansas:

That a public hearing will be held on Thursday, **September 10, 2026** before the Governing Body of the City of Independence, Kansas, at 5:30 p.m., in City Hall, 120 N. 6th Street, Independence, Kansas, at which time the owner, the owners agent, any lien holders of record and any occupant of the structure or structures located on the properties described herein, may appear and show cause why such structure or structures should not be condemned as unsafe and/or dangerous and ordered repaired or removed.

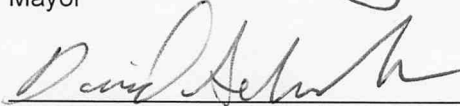
Be it further resolved that the City Clerk shall cause this Resolution to be published one time each week for two consecutive weeks on the same day of each week, that at least thirty (30) days shall elapse between the last publication and the date set for hearing and the City Clerk shall give notice of the aforesaid hearing in the manner provided by Ordinance and by law.

Be it further resolved by the Governing Body of the City of Independence that its authority for the actions set forth herein is established pursuant to K.S.A. 12-1751 ET. SEQ.

Adopted this 9th day of July 2026.



Mayor



City Clerk



Report Cover Page

Date:	06/04/2026	Prepared For:	City of Independence
Order No.:	3196463	Owner(s):	Luella Q. Green and Patrica Farley
Issuing Office:	Security 1st Title 114 N. Pennsylvania Avenue Independence, KS 67301	Property Address:	813 S 18th St, Independence, KS 67301

Note: The documents linked in this report should be reviewed carefully. These documents, such as covenants conditions and restrictions, may affect the title, ownership and use of the property. You may wish to engage legal assistance in order to fully understand and be aware of the implications of the effect of these documents on your property.

Vesting Documents:

[Montgomery county at book 389 page 140](#)

[Montgomery county at book 494 page 372](#)

Tax Information:

[087-36-0-30-12-011.00-0](#)

Date: June 04, 2026

File No.: 3196463

Property Address: 813 S 18th St, Independence, KS 67301

Title Contact: Mary Jo Wallis

Contact E-mail: mwallis@security1st.com

OWNERS AND ENCUMBRANCES REPORT

For the exclusive use of:

City of Independence

David Cowan

120 N. 6th Street

Independence, KS 67301

Effective Date of this Report: May 20, 2026 at 7:00 A.M.

On Real Estate described as:

Lots 3 and 4, Block 17, Blooms Addition to the City of Independence, Montgomery County, Kansas

The Public Records located in Montgomery County indicate that:

A. Interest in the Land described in this Report is owned, at the Report Effective Date, by:

Luella Q. Green and Patrica Farley

B. The Real Estate is encumbered by the following Mortgages, Federal Tax Liens, State Tax Liens, Bankruptcies, and Judgments:

1. The County Tax Records indicate that the general real estate taxes are:

General taxes and special assessments for the year 2025:

Full Amount: \$121.52, NOT PAID

Tax Parcel Number: IC 3738

2. The County Tax Records indicate that the general real estate taxes are:

General taxes and special assessments for the year 2024:

Full Amount: \$123.50, NOT PAID

Tax Parcel Number: IC 3738

3. The County Tax Records indicate that the general real estate taxes are:

General taxes and special assessments for the year 2023:

Full Amount: \$125.52, NOT PAID

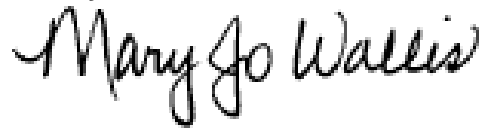
Tax Parcel Number: IC 3738

This Report is limited to only the information described above.

This Report is not nor is to be construed as, an Abstract of Title, Title Opinion, or Title Insurance Policy.

The total liability of this Company by reason of losses and damages that may occur by reason of any errors and omissions in this Company's report is limited to the fee it received for the preparation and issuance of this report.

Security 1st Title

A handwritten signature in black ink that reads "Mary Jo Wallis". The signature is written in a cursive, flowing style.

Licensed Abstracter

[Print Page](#)

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[View Sketch](#) --- [Back to Search Page](#) --- [Home](#)

The Parcel Number for this Property is 063-087-36-0-30-12-011.00-0
Quick Ref ID: 4504

Owner Information

Owner Name	GREEN, LUELLA Q-NTC PATRICIA FARLEY
Address	410 N 11TH ST INDEPENDENCE, KS 67301

Property Situs Address

Address	813 S 18TH ST, Independence, KS 67301
----------------	---------------------------------------

Land Based Classification System

Function	Single family residence (detached)
Activity	Household activities
Ownership	Private-fee simple
Site	Developed site - with buildings

General Property Information

Prop Class	Residential - R
Living Units	1
Zoning	
Neighborhood	108.F
Tax Unit Group	108

Property Factors

Topography	Level - 1
Utilities	All Public - 1
Access	Paved Road - 1 Alley - 7
Fronting	Residential Street - 4
Location	Neighborhood or Spot - 6
Parking Type	On and Off Street - 3
Parking Quantity	Adequate - 2
Parking Proximity	On Site - 3
Parking Covered	
Parking Uncovered	

2026 Appraised Value

Class	Land	Building	Total
Residential - R	5,700	960	6,660
Total	5,700	960	6,660

2025 Appraised Value

Class	Land	Building	Total
Residential - R	5,700	770	6,470
Total	5,700	770	6,470

Tract Description

BLOOMS ADD, S36, T32, R15, BLOCK 17, Lot 3 & 4; Lot Width: 100.0 Lot Depth: 140.0 Plat Book/Page 4 /8 Lot Width: 100.0 Lot Depth: 140.0 Deed Book/Page 494 /372 389 /140 383 /174 359 /536

Deed Information

Book1	Page1	Book2	Page2	Book3	Page3	Book4	Page4
694	1347	692	1229				

Market Land Information

Method	Type	AC/SF	Eff FF	Depth	D-Fact	Inf1	Fact1	Inf2	Fact2	Ovrd	Class	Value Est
Sqft	Primary Site - 1	14000										5,700

Dwelling Information

Dwelling Information		Comp Sales Information	
Res Type	Single-family Residence	Arch Style	Bungalow
Quality	LO+	Bsmt Type	Crawl - 2
Year Built	1900	Total Rooms	3
Eff Year		Bedrooms	1
MS Style	One Story	Family Rooms	
LBCSStruct	Detached SFR unit	Full Baths	1
No. of Units		Half Baths	
Total Living Area		Garage Cap	
Calculated Area	664	Foundation	Block - 3
Main Floor Living Area	664		
Upper Floor Living Area Pct.			
CDU	UN		
Phys/Func/Econ	UN/ /		
Ovr Pct Gd/RCN	/77,010		
Remodel			
Percent Complete			
Assessment Class			
MU Cls/Pct			

Dwelling Components

Code	Units	Pct	Quality	Year
Wood Deck (SF) with Roof	66			
Composition Shingle		100		
Plumbing Fixtures (#)	5			
Automatic Floor Cover Allowance				
Wood Deck (SF) with Roof	84			
Frame, Plywood or Hardboard		100		
Raised Subfloor (% or SF)		100		

Plumbing Rough-ins (#)	1			
Wall Furnace		100		

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TECHNOLOGIES



**REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
September 10, 2026**

Department Admin

Director Approval David Cowan

AGENDA ITEM Public Hearing to consider the condemnation of 817 S. 4th Street as dangerous and unsafe.

SUMMARY RECOMMENDATION City Staff recommends adjourning the Public Hearing.

BACKGROUND The structure at 817 S. 4th Street has been reported to the City as being in deteriorated condition and without utility service for an unknown period. City staff met with the owner, who stated that he is beginning renovations on the structure and will be ready to present additional information at the Public Hearing. City staff recommends adjourning the Public Hearing until December 10, 2026, at 5:30 pm.

FINANCIAL INFORMATION The cost of removal if the owner fails to commence repair or removal of the structure.

SUGGESTED MOTION I move to adjourn the Public Hearing until December 10, 2026, at 5:30 pm.

SUPPORTING DOCUMENTS

1. RESOLUTION 2026-132 - CONDEMNATION - DAYS - 817 S 4th
2. Photo - Aug 31st
3. 1st Notice Public Hearing 07092026
4. 2026-089 - Condemnation - P_H - 817 S 4th
5. 3196457_OE_Report
6. Parcel - 817 S 4th

RESOLUTION NO. 2026-132

A RESOLUTION FINDING THAT THE STRUCTURE, OR STRUCTURES, LOCATED ON THE FOLLOWING TRACT/PARCEL IN THE CITY OF INDEPENDENCE, MONTGOMERY COUNTY, KANSAS, IS UNSAFE AND DANGEROUS AND ORDERED CONDEMNED AND DIRECTING SAID STRUCTURE, OR STRUCTURES, TO BE REPAIRED OR REMOVED AND THE PREMISES MADE SAFE AND SECURE. SAID REPAIR OR REMOVAL WILL COMMENCE WITHIN **30 DAYS** OF THE PUBLICATION OF THIS RESOLUTION.

Legal Description

Lot 5, Block 11, South Side Heights Addition to the City of Independence, Montgomery County, Kansas

Common Address

817 S 4th St

Mortgage

WHEREAS, the Building Inspector of the City of Independence, Kansas, did on the 9th day of July 2026, file with the Governing body of said City, a statement in writing that the structure, or structures, located on the above described tract/parcel is unsafe and/or dangerous; and

WHEREAS, the Governing body did by **Res. #2026—089**, dated **July 9, 2026**, fix a time and place of hearing at which time the owner, his or her agent, any lien holders of record and any occupant of such structure, or structures, could appear and show cause why such structure, or structures, should not be condemned and ordered repaired and/or demolished and further provided for the giving of notice thereof as provided by law; and

WHEREAS, such resolution was published in the official city newspaper on **July 17, 2026 and July 24, 2026**, a copy of such resolution and notice was mailed to the owner, his or her agent; any lien holders of record and any occupant of the structure, or structures, at his or her last known place of residence, at which hearing the governing body heard all persons and considered all evidence presented by interested parties, including the Building Inspector of the City of Independence, Kansas.

NOW, THEREFORE, be it resolved by the Governing Body of the City of Independence, Kansas:

The said governing body hereby finds that the structure, or structures, located on the following described tract/parcel in the City of Independence, Montgomery County, Kansas:

Legal Description

Lot 5, Block 11, South Side Heights Addition to the City of Independence, Montgomery County, Kansas

Common Address

817 S 4th St

Mortgage

Is unsafe and dangerous and constitutes a blight and therefore should be and is hereby condemned and it is hereby directed that such structure, or structures, be repaired or removed and the premises made safe and secure. The owner of the structure, or structures, is hereby given **30 days** from the publication of this resolution within which to commence such repair or removal and the premises made safe and secure. If the owner of such structure, or structures fails to diligently prosecute the same until the work is completed, said governing body will cause the structure, or structures, to be razed and removed, in order to make the premises safe and secure.

BE IT FURTHER RESOLVED, that the City Clerk shall cause this resolution to be published once in the official city newspaper and a copy mailed to the owner, his or her agent, lien holders and occupants as provided by law and a copy of said resolution shall be filed with the Montgomery County Register of Deeds.

Adopted this 10th day of September, 2026.

(SEAL)

Mayor

City Clerk

817 S. 4th – Aug 31st





NOTICE OF PUBLIC HEARING TO CONSIDER CONDEMNATION OF PROPERTY

Date: July 22, 2026

TO:

Jonesing For Deals LLC

316 E. Cedar St.

Independence, Ks. 67301

Lien Holder: **Associates Financial Services Company of Kansas, Inc.**

RE: Unsafe or Dangerous Structure at: **817 S. 4th**

Property records reflect that you are the owner or occupant of the above-described Property. This letter is being provided to you pursuant to K.S.A. 12-1751 et seq to advise you that staff for the City of Independence, Kansas, has determined that the Property is “unsafe or dangerous” and subject to condemnation or being ordered to be repaired or demolished.

On **July 09, 2026**, the City Commission adopted a Resolution for a public hearing to be held on **September 10, 2026, at 120 N. 6th Street**, Commission Room, Independence, Kansas 67301. The public hearing will commence at 5:30 p.m. At such hearing, the owner of the Property, the owner’s agent, lienholders or record, and any occupant may appear and show cause why the structure(s) on the Property should not be condemned and ordered repaired or demolished.

On the date of the hearing, the Governing Body shall hear the evidence (if any) presented. If the Governing Body finds that the Property is unsafe or dangerous, then the Governing Body may direct the structure(s) to be repaired or removed and the Property made safe and secure. The Governing Body shall also fix a reasonable time within which the repair or removal shall be commenced and, if the owner fails to commence the repair or removal within the time stated, or fails to diligently prosecute the same to completion, the Governing Body will cause the structure to be repaired or razed and removed.

Please contact us as soon as possible so that we may review the steps that must be undertaken to bring the Property into compliance and no longer be regarded as unsafe or dangerous. To that end, please find enclosed a proposed Remediation Agreement. With a signed Remediation Agreement—together with a scope of work and proof of funds—City staff will can recommend to the Governing Body that further enforcement actions be stayed pending compliance with the Remediation Agreement.



"Delivering Excellence"

Thank you for your prompt attention to this matter.

David Cowan

Assistant City Manager – Building & Code Enforcement

Attachments/Enclosures: Resolution No. **2026.089**

Cc:

Department of Building & Code Enforcement

120 N. 6th Street

Independence, Kansas 67301



State of Kansas, Montgomery County
This instrument was filed for
Record on July 10, 2026 11:43 AM
Recorded in Book 759 Page 296 - 296
Fee: \$0.00 202602249



Marilyn Calhoun

Marilyn Calhoun, Register of Deeds

RESOLUTION NO. 2026-089

A RESOLUTION FIXING A TIME AND PLACE AND PROVIDING FOR NOTICE OF HEARING BEFORE THE GOVERNING BODY OF THE CITY OF INDEPENDENCE, KANSAS, OF WHICH OWNERS, OWNERS AGENTS, LIEN HOLDERS OF RECORD AND ANY OCCUPANTS, IF ANY, OF THE STRUCTURE OR STRUCTURES IDENTIFIED BELOW, IN SAID CITY MAY APPEAR AND SHOW CAUSE WHY SAID STRUCTURE OR STRUCTURES SHOULD NOT BE CONDEMNED AND ORDERED REPAIRED OR DEMOLISHED PURSUANT TO K.S.A. 12-1751 ET. SEQ.

WHEREAS, the enforcing officer of the City of Independence, Kansas, did on the 9th day of July 2026, file with the Governing body of said City, statements, and reports in writing that the structure or structures located on said properties hereinafter described are unsafe and/or dangerous:

Legal: Lot 5, Block 11, South Side Heights Addition to the City of Independence, Montgomery County, Kansas.

Common Address: 817 S 4th St.

Mortgage:

NOW, THEREFORE, be it resolved by the Governing Body of the City of Independence, Kansas:

That a public hearing will be held on Thursday, **September 10, 2026** before the Governing Body of the City of Independence, Kansas, at 5:30 p.m., in City Hall, 120 N. 6th Street, Independence, Kansas, at which time the owner, the owners agent, any lien holders of record and any occupant of the structure or structures located on the properties described herein, may appear and show cause why such structure or structures should not be condemned as unsafe and/or dangerous and ordered repaired or removed.

Be it further resolved that the City Clerk shall cause this Resolution to be published one time each week for two consecutive weeks on the same day of each week, that at least thirty (30) days shall elapse between the last publication and the date set for hearing and the City Clerk shall give notice of the aforesaid hearing in the manner provided by Ordinance and by law.

Be it further resolved by the Governing Body of the City of Independence that its authority for the actions set forth herein is established pursuant to K.S.A. 12-1751 ET. SEQ.

Adopted this 9th day of July 2026.



Mayor



City Clerk

(SEAL)



Report Cover Page

Date:	06/04/2026	Prepared For:	City of Independence
Order No.:	3196457	Owner(s):	Jonesing For Deals, LLC
Issuing Office:	Security 1st Title 114 N. Pennsylvania Avenue Independence, KS 67301	Property Address:	817 S 4th St, Independence, KS 67301

Note: The documents linked in this report should be reviewed carefully. These documents, such as covenants conditions and restrictions, may affect the title, ownership and use of the property. You may wish to engage legal assistance in order to fully understand and be aware of the implications of the effect of these documents on your property.

Vesting Documents:

[Montgomery county at book 738 page 262](#)

Tax Information:

[099-31-0-30-24-014.00-0](#)

Date: June 04, 2026

Property Address: 817 S 4th St, Independence, KS 67301

File No.: 3196457

Title Contact: Mary Jo Wallis

Contact E-mail: mwallis@security1st.com

OWNERS AND ENCUMBRANCES REPORT

For the exclusive use of:

City of Independence

David Cowan

120 N. 6th Street

Independence, KS 67301

Effective Date of this Report: May 20, 2026 at 7:00 A.M.

On Real Estate described as:

Lot 5, Block 11, South Side Heights Addition to the City of Independence, Montgomery County, Kansas

The Public Records located in Montgomery County indicate that:

A. Interest in the Land described in this Report is owned, at the Report Effective Date, by:

Jonesing For Deals, LLC

B. The Real Estate is encumbered by the following Mortgages, Federal Tax Liens, State Tax Liens, Bankruptcies, and Judgments:

1. The County Tax Records indicate that the general real estate taxes are:

General taxes and special assessments for the year 2025:

Full Amount: \$414.22, NOT PAID

Tax Parcel Number: IC 3943

2. The County Tax Records indicate that the general real estate taxes are:

General taxes and special assessments for the year 2024:

Full Amount: \$398.20, NOT PAID

Tax Parcel Number: IC 3943

3. The County Tax Records indicate that the general real estate taxes are:

General taxes and special assessments for the year 2023:

Full Amount: \$386.64, HALF PAID

Tax Parcel Number: IC 3943

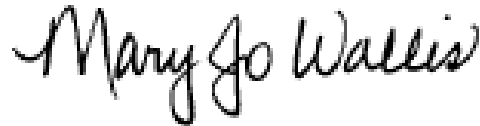
4. A mortgage to secure an original principal indebtedness of \$7,395.76 and any other amounts or obligations secured thereby, dated June 24, 1988, recorded June 28, 1988, as Book 361, page 193.
Mortgagor: Charlotte Y. Spellman, a married woman and Beulah M. Corle, a single person
Mortgagee: Associates Financial Services Company of Kansas, Inc.
5. Subject to interest of Stewart L. Spellman who acquired title in 1975 as a joint tenan with Charlotte Y. Spellman. In 1977, Charlotte Y. Spellman deeds out as a widow. We do not find a death certificate or probate filed on record on Stewart.

This Report is limited to only the information described above.

This Report is not nor is to be construed as, an Abstract of Title, Title Opinion, or Title Insurance Policy.

The total liability of this Company by reason of losses and damages that may occur by reason of any errors and omissions in this Company's report is limited to the fee it received for the preparation and issuance of this report.

Security 1st Title



Licensed Abstracter

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The Parcel Number for this Property is 063-099-31-0-30-24-014.00-0
Quick Ref ID: 7504

Owner Information

Owner Name	JONESING FOR DEALS, LLC
Address	316 E CEDAR ST INDEPENDENCE, KS 67301

Property Situs Address

Address	817 S 4TH ST, Independence, KS 67301
----------------	--------------------------------------

Land Based Classification System

Function	Single family residence (detached)
Activity	Household activities
Ownership	Private-fee simple
Site	Developed site - with buildings

General Property Information

Prop Class	Residential - R
Living Units	1
Zoning	
Neighborhood	108.F
Tax Unit Group	108

Property Factors

Topography	Level - 1
Utilities	All Public - 1
Access	Paved Road - 1 Alley - 7
Fronting	Residential Street - 4
Location	Neighborhood or Spot - 6
Parking Type	On and Off Street - 3
Parking Quantity	Adequate - 2
Parking Proximity	On Site - 3
Parking Covered	
Parking Uncovered	

2026 Appraised Value

Class	Land	Building	Total
Residential - R	4,480	18,270	22,750
Total	4,480	18,270	22,750

2025 Appraised Value

Class	Land	Building	Total
Residential - R	4,480	17,610	22,090
Total	4,480	17,610	22,090

Tract Description

SOUTH SIDE HGHTS ADD, S31, T32, R16, BLOCK 11, Lot 5, Lot Width: 050.0 Lot Depth: 150.0 Plat Book/Page 5 /37 Deed Book/Page 342 /028

Deed Information

Book1	Page1	Book2	Page2	Book3	Page3	Book4	Page4
738	262	573	89	342	028		

Market Land Information

Method	Type	AC/SF	Eff FF	Depth	D-Fact	Inf1	Fact1	Inf2	Fact2	Ovrd	Class	Value Est
Sqft	Primary Site - 1	7556										4,480

Dwelling Information

Dwelling Information		Comp Sales Information	
Res Type	Single-family Residence	Arch Style	Bungalow
Quality	FR-	Bsmt Type	Crawl - 2
Year Built	1900	Total Rooms	6
Eff Year		Bedrooms	3
MS Style	One Story	Family Rooms	
LBCSStruct	Detached SFR unit	Full Baths	1
No. of Units		Half Baths	
Total Living Area		Garage Cap	
Calculated Area	1,390	Foundation	Block - 3
Main Floor Living Area	1,390		
Upper Floor Living Area Pct.			
CDU	PR-		
Phys/Func/Econ	PR- / /		
Ovr Pct Gd/RCN	/142,850		
Remodel	1969		
Percent Complete			
Assessment Class			
MU Cls/Pct			

Dwelling Components

Code	Units	Pct	Quality	Year
Enclosed Wood Deck (SF), Solid Wall	150			
Galvanized Metal		100		
Plumbing Fixtures (#)	5			
Automatic Floor Cover Allowance				
Frame, Plywood or Hardboard		100		
Raised Subfloor (% or SF)		100		
Plumbing Rough-ins (#)	1			

Raised Slab Porch (SF)	32		2	1960
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REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
September 10, 2026

Department Admin

Director Approval David Cowan

AGENDA ITEM Public Hearing to consider the condemnation of 1015 W. Pine Street as dangerous and unsafe.

SUMMARY RECOMMENDATION City Staff recommends condemnation as dangerous and unsafe.

BACKGROUND The structure located at 1015 W. Pine Street has been reported to the City for multiple code enforcement violations, concerns regarding the deteriorated condition of the structure, and the absence of utility service for an unknown period of time.

The property owner appeared before the Commission at the previous meeting and advised that they were attempting to remove unauthorized occupants from the residence through the eviction process. City staff is aware that the owner is continuing to pursue that process; however, as of this time, the occupants have not been successfully removed.

Based on the current condition of the property and the outstanding code violations, City staff recommends that the structure be condemned as dangerous and unsafe.

FINANCIAL INFORMATION The cost of removal if the owner fails to commence repair or removal of the structure.

SUGGESTED MOTION I move to adopt a resolution condemning 1015 W. Pine Street as dangerous and unsafe.

SUPPORTING DOCUMENTS

1. RESOLUTION 2026-133 - CONDEMNATION - DAYS - 1015 W Pine
2. Photo - Aug 31st
3. 1st Notice Public Hearing 07092026
4. 2026-090 - Condemnation - P_H - 1015 W Pine
5. 1015 W Pine Photo
6. 3196425_OE_Report
7. Parcel - 1015 W Pine

RESOLUTION NO. 2026-132

A RESOLUTION FINDING THAT THE STRUCTURE, OR STRUCTURES, LOCATED ON THE FOLLOWING TRACT/PARCEL IN THE CITY OF INDEPENDENCE, MONTGOMERY COUNTY, KANSAS, IS UNSAFE AND DANGEROUS AND ORDERED CONDEMNED AND DIRECTING SAID STRUCTURE, OR STRUCTURES, TO BE REPAIRED OR REMOVED AND THE PREMISES MADE SAFE AND SECURE. SAID REPAIR OR REMOVAL WILL COMMENCE WITHIN **30 DAYS** OF THE PUBLICATION OF THIS RESOLUTION.

Legal Description

Lot 5, Block 11, South Side Heights Addition to the City of Independence, Montgomery County, Kansas

Common Address

817 S 4th St

Mortgage

WHEREAS, the Building Inspector of the City of Independence, Kansas, did on the 9th day of July 2026, file with the Governing body of said City, a statement in writing that the structure, or structures, located on the above described tract/parcel is unsafe and/or dangerous; and

WHEREAS, the Governing body did by **Res. #2026—089**, dated **July 9, 2026**, fix a time and place of hearing at which time the owner, his or her agent, any lien holders of record and any occupant of such structure, or structures, could appear and show cause why such structure, or structures, should not be condemned and ordered repaired and/or demolished and further provided for the giving of notice thereof as provided by law; and

WHEREAS, such resolution was published in the official city newspaper on **July 17, 2026 and July 24, 2026**, a copy of such resolution and notice was mailed to the owner, his or her agent; any lien holders of record and any occupant of the structure, or structures, at his or her last known place of residence, at which hearing the governing body heard all persons and considered all evidence presented by interested parties, including the Building Inspector of the City of Independence, Kansas.

NOW, THEREFORE, be it resolved by the Governing Body of the City of Independence, Kansas:

The said governing body hereby finds that the structure, or structures, located on the following described tract/parcel in the City of Independence, Montgomery County, Kansas:

Legal Description

Lot 5, Block 11, South Side Heights Addition to the City of Independence, Montgomery County, Kansas

Common Address

817 S 4th St

Mortgage

Is unsafe and dangerous and constitutes a blight and therefore should be and is hereby condemned and it is hereby directed that such structure, or structures, be repaired or removed and the premises made safe and secure. The owner of the structure, or structures, is hereby given **30 days** from the publication of this resolution within which to commence such repair or removal and the premises made safe and secure. If the owner of such structure, or structures fails to diligently prosecute the same until the work is completed, said governing body will cause the structure, or structures, to be razed and removed, in order to make the premises safe and secure.

BE IT FURTHER RESOLVED, that the City Clerk shall cause this resolution to be published once in the official city newspaper and a copy mailed to the owner, his or her agent, lien holders and occupants as provided by law and a copy of said resolution shall be filed with the Montgomery County Register of Deeds.

Adopted this 10th day of September, 2026.

(SEAL)

Mayor

City Clerk

1015 W. Pine – Aug 31st





NOTICE OF PUBLIC HEARING TO CONSIDER CONDEMNATION OF PROPERTY

Date: July 22, 2026

TO:

Jeremy Krug

PO Box 26

Independence, Ks. 67301

Lien Holder:

RE: Unsafe or Dangerous Structure at: **1015 W. Pine St.**

Property records reflect that you are the owner or occupant of the above-described Property. This letter is being provided to you pursuant to K.S.A. 12-1751 et seq to advise you that staff for the City of Independence, Kansas, has determined that the Property is “unsafe or dangerous” and subject to condemnation or being ordered to be repaired or demolished.

On **July 09, 2026**, the City Commission adopted a Resolution for a public hearing to be held on **September 10, 2026, at 120 N. 6th Street**, Commission Room, Independence, Kansas 67301. The public hearing will commence at 5:30 p.m. At such hearing, the owner of the Property, the owner’s agent, lienholders or record, and any occupant may appear and show cause why the structure(s) on the Property should not be condemned and ordered repaired or demolished.

On the date of the hearing, the Governing Body shall hear the evidence (if any) presented. If the Governing Body finds that the Property is unsafe or dangerous, then the Governing Body may direct the structure(s) to be repaired or removed and the Property made safe and secure. The Governing Body shall also fix a reasonable time within which the repair or removal shall be commenced and, if the owner fails to commence the repair or removal within the time stated, or fails to diligently prosecute the same to completion, the Governing Body will cause the structure to be repaired or razed and removed.

Please contact us as soon as possible so that we may review the steps that must be undertaken to bring the Property into compliance and no longer be regarded as unsafe or dangerous. To that end, please find enclosed a proposed Remediation Agreement. With a signed Remediation Agreement—together with a scope of work and proof of funds—City staff will can recommend to the Governing Body that further enforcement actions be stayed pending compliance with the Remediation Agreement.



"Delivering Excellence"

Thank you for your prompt attention to this matter.

David Cowan

Assistant City Manager – Building & Code Enforcement

Attachments/Enclosures: Resolution No. **2026.090**

Cc:

Department of Building & Code Enforcement

120 N. 6th Street

Independence, Kansas 67301



State of Kansas, Montgomery County
This instrument was filed for
Record on July 10, 2026 11:44 AM
Recorded in Book 759 Page 297 - 297
Fee: \$0.00 202602250



Marilyn Calhoun
Marilyn Calhoun, Register of Deeds

RESOLUTION NO. 2026-090

A RESOLUTION FIXING A TIME AND PLACE AND PROVIDING FOR NOTICE OF HEARING BEFORE THE GOVERNING BODY OF THE CITY OF INDEPENDENCE, KANSAS, OF WHICH OWNERS, OWNERS AGENTS, LIEN HOLDERS OF RECORD AND ANY OCCUPANTS, IF ANY, OF THE STRUCTURE OR STRUCTURES IDENTIFIED BELOW, IN SAID CITY MAY APPEAR AND SHOW CAUSE WHY SAID STRUCTURE OR STRUCTURES SHOULD NOT BE CONDEMNED AND ORDERED REPAIRED OR DEMOLISHED PURSUANT TO K.S.A. 12-1751 ET. SEQ.

WHEREAS, the enforcing officer of the City of Independence, Kansas, did on the 9th day of July 2026, file with the Governing body of said City, statements, and reports in writing that the structure or structures located on said properties hereinafter described are unsafe and/or dangerous:

↙ **Legal:** Lot 4, Block 5, York and Wilson's Addition to the City of Independence, Montgomery County, Kansas.

Common Address: 1015 W Pine St.

Mortgage:

NOW, THEREFORE, be it resolved by the Governing Body of the City of Independence, Kansas:

That a public hearing will be held on Thursday, **September 10, 2026** before the Governing Body of the City of Independence, Kansas, at 5:30 p.m., in City Hall, 120 N. 6th Street, Independence, Kansas, at which time the owner, the owners agent, any lien holders of record and any occupant of the structure or structures located on the properties described herein, may appear and show cause why such structure or structures should not be condemned as unsafe and/or dangerous and ordered repaired or removed.

Be it further resolved that the City Clerk shall cause this Resolution to be published one time each week for two consecutive weeks on the same day of each week, that at least thirty (30) days shall elapse between the last publication and the date set for hearing and the City Clerk shall give notice of the aforesaid hearing in the manner provided by Ordinance and by law.

Be it further resolved by the Governing Body of the City of Independence that its authority for the actions set forth herein is established pursuant to K.S.A. 12-1751 ET. SEQ.

Adopted this 9th day of July 2026.



Mayor



City Clerk

(SEAL)



Consider setting the date of September 10, 2026 at 5:30 PM for a Public Hearing to consider the condemnation of 1015 W. Pine Street as dangerous and unsafe.



SUGGESTED MOTION:

I move to adopt a resolution scheduling a Public Hearing on September 10, 2026, at 5:30 PM to consider the condemnation of 1015 W. Pine Street as dangerous and unsafe.



Report Cover Page

Date:	06/03/2026	Prepared For:	City of Independence
Order No.:	3196425	Owner(s):	Jeremy Krug and Charlene Ogden
Issuing Office:	Security 1st Title 114 N. Pennsylvania Avenue Independence, KS 67301	Property Address:	1015 W Pine St, Independence, KS 67301

Note: The documents linked in this report should be reviewed carefully. These documents, such as covenants conditions and restrictions, may affect the title, ownership and use of the property. You may wish to engage legal assistance in order to fully understand and be aware of the implications of the effect of these documents on your property.

Vesting Documents:

[Montgomery county at book 756 page 1132](#)

Tax Information:

[087-25-0-40-22-004.00-0](#)

Date: June 03, 2026
Property Address: 1015 W Pine St, Independence, KS
67301

File No.: 3196425
Title Contact: Mary Jo Wallis
Contact E-mail: mwallis@security1st.com

OWNERS AND ENCUMBRANCES REPORT

For the exclusive use of:

City of Independence
David Cowan
120 N. 6th Street
Independence, KS 67301

Effective Date of this Report: May 20, 2026 at 7:00 A.M.

On Real Estate described as:

Lot 4, Block 5, York and Wilson's Addition to the City of Independence, Montgomery County, Kansas

The Public Records located in Montgomery County indicate that:

A. Interest in the Land described in this Report is owned, at the Report Effective Date, by:

Jeremy Krug and Charlene Ogden

B. The Real Estate is encumbered by the following Mortgages, Federal Tax Liens, State Tax Liens, Bankruptcies, and Judgments:

1. The County Tax Records indicate that the general real estate taxes are:

General taxes and special assessments for the year 2025:

Full Amount: \$295.02, HALF PAID

Tax Parcel Number: IC 1839

This Report is limited to only the information described above.

This Report is not nor is to be construed as, an Abstract of Title, Title Opinion, or Title Insurance Policy.

The total liability of this Company by reason of losses and damages that may occur by reason of any errors and omissions in this Company's report is limited to the fee it received for the preparation and issuance of this report.

Security 1st Title

Mary Jo Wallis

Licensed Abstracter

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The Parcel Number for this Property is 063-087-25-0-40-22-004.00-0
Quick Ref ID: 3348

Owner Information

Owner Name	KRUG, JEREMY & OGDEN, CHARLENE
Address	PO BOX 26 INDEPENDENCE, KS 67301

Property Situs Address

Address	1015 W PINE ST, Independence, KS 67301
----------------	--

Land Based Classification System

Function	Single family residence (detached)
Activity	Household activities
Ownership	Private-fee simple
Site	Developed site - with buildings

General Property Information

Prop Class	Residential - R
Living Units	1
Zoning	
Neighborhood	108.F
Tax Unit Group	108

Property Factors

Topography	Level - 1
Utilities	All Public - 1
Access	Paved Road - 1 Alley - 7
Fronting	Residential Street - 4
Location	Neighborhood or Spot - 6
Parking Type	On and Off Street - 3
Parking Quantity	Adequate - 2
Parking Proximity	On Site - 3
Parking Covered	
Parking Uncovered	

2026 Appraised Value

Class	Land	Building	Total
Residential - R	4,470	11,730	16,200
Total	4,470	11,730	16,200

2025 Appraised Value

Class	Land	Building	Total
Residential - R	4,470	11,260	15,730
Total	4,470	11,260	15,730

Tract Description

YORK & WILSONS ADD, S25, T32, R15, BLOCK 5, Lot 4, 7531 SQUARE FEET, LOT WIDTH: 050.0 LOT DEPTH: 140.0 Plat Book/Page 1 /9 Deed Book/Page 638 /1474 636 /1443 634 /1004 357 /055

Building Permit Information

Permit Number	Amount	Issue Date	Description
2010001	8,000	2/16/2010	Exterior Siding

Deed Information

Book1	Page1	Book2	Page2	Book3	Page3	Book4	Page4
756	1132	638	1474	636	1443	634	1004

Market Land Information

Method	Type	AC/SF	Eff FF	Depth	D-Fact	Inf1	Fact1	Inf2	Fact2	Ovrd	Class	Value Est
Sqft	Primary Site - 1	7531										4,470

Dwelling Information

Dwelling Information					Comp Sales Information				
Res Type	Single-family Residence				Arch Style	Bungalow			
Quality	FR				Bsmt Type	Crawl - 2			
Year Built	1926				Total Rooms	5			
Eff Year					Bedrooms	2			
MS Style	One Story				Family Rooms				
LBCSStruct	Detached SFR unit				Full Baths	1			
No. of Units					Half Baths				
Total Living Area					Garage Cap				
Calculated Area	926				Foundation	Brick - 5			
Main Floor Living Area	926								
Upper Floor Living Area Pct.									
CDU	FR-								
Phys/Func/Econ	FR-/ /								
Ovr Pct Gd/RCN	/111,540								
Remodel									
Percent Complete									
Assessment Class									
MU Cls/Pct									

Dwelling Components				
Code	Units	Pct	Quality	Year
Wall Furnace		100		
Raised Slab Porch (SF) with Roof	72			

Composition Shingle		100		
Plumbing Fixtures (#)	5			
Automatic Floor Cover Allowance				
Carport, Flat Roof (SF)	351		1	
Frame, Siding, Vinyl		100		2010
Raised Subfloor (% or SF)		100		
Plumbing Rough-ins (#)	1			
Enclosed Wood Deck (SF), Solid Wall	90			

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REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
September 10, 2026

Department Admin

Director Approval David Cowan

AGENDA ITEM Public Hearing to consider the condemnation of 1225 W. Myrtle Street as dangerous and unsafe.

SUMMARY RECOMMENDATION City Staff recommends condemnation as dangerous and unsafe.

BACKGROUND The structure located at 1225 W. Myrtle Street has been reported to the City for multiple code enforcement violations, concerns regarding its deteriorated condition, and the absence of utility service for an unknown period of time.

City staff has been in contact with the previous owner, who advised that the property was transferred by quitclaim deed to the neighboring property owners, Kim and Connor Harris, of 1221 W. Myrtle Street. City staff has not had any communication with the current owners regarding their intentions for the property or plans to address its condition. Based on the current condition of the property and the outstanding code violations, City staff recommends that the structure be condemned as dangerous and unsafe.

FINANCIAL INFORMATION The cost of removal if the owner fails to commence repair or removal of the structure.

SUGGESTED MOTION I move to adopt a resolution condemning 1225 W. Myrtle Street as dangerous and unsafe.

SUPPORTING DOCUMENTS

1. RESOLUTION 2026-134 - CONDEMNATION - DAYS - 1225 W Myrtle
2. Photo - Aug 31st
3. 1st Notice Public Hearing 07092026
4. 2026-091 - Condemnation - P_H - 1225 W Myrtle
5. 1225 W. Myrtle Photo
6. 3196434_OE_Report
7. Parcel - 1225 W Myrtl

RESOLUTION NO. 2026-134

A RESOLUTION FINDING THAT THE STRUCTURE, OR STRUCTURES, LOCATED ON THE FOLLOWING TRACT/PARCEL IN THE CITY OF INDEPENDENCE, MONTGOMERY COUNTY, KANSAS, IS UNSAFE AND DANGEROUS AND ORDERED CONDEMNED AND DIRECTING SAID STRUCTURE, OR STRUCTURES, TO BE REPAIRED OR REMOVED AND THE PREMISES MADE SAFE AND SECURE. SAID REPAIR OR REMOVAL WILL COMMENCE WITHIN **30 DAYS** OF THE PUBLICATION OF THIS RESOLUTION.

Legal Description

Lot 12, Jones Brothers and Potters Addition to the City of Independence, Montgomery County, Kansas

Common Address

1225 W Myrtle St

Mortgage

WHEREAS, the Building Inspector of the City of Independence, Kansas, did on the 9th day of July 2026, file with the Governing body of said City, a statement in writing that the structure, or structures, located on the above described tract/parcel is unsafe and/or dangerous; and

WHEREAS, the Governing body did by **Res. #2026—091**, dated **July 9, 2026**, fix a time and place of hearing at which time the owner, his or her agent, any lien holders of record and any occupant of such structure, or structures, could appear and show cause why such structure, or structures, should not be condemned and ordered repaired and/or demolished and further provided for the giving of notice thereof as provided by law; and

WHEREAS, such resolution was published in the official city newspaper on **July 17, 2026 and July 24, 2026**, a copy of such resolution and notice was mailed to the owner, his or her agent; any lien holders of record and any occupant of the structure, or structures, at his or her last known place of residence, at which hearing the governing body heard all persons and considered all evidence presented by interested parties, including the Building Inspector of the City of Independence, Kansas.

NOW, THEREFORE, be it resolved by the Governing Body of the City of Independence, Kansas:

The said governing body hereby finds that the structure, or structures, located on the following described tract/parcel in the City of Independence, Montgomery County, Kansas:

Legal Description

Lot 12, Jones Brothers and Potters Addition to the City of Independence, Montgomery County, Kansas

Common Address

1225 W Myrtle St

Mortgage

Is unsafe and dangerous and constitutes a blight and therefore should be and is hereby condemned and it is hereby directed that such structure, or structures, be repaired or removed and the premises made safe and secure. The owner of the structure, or structures, is hereby given **30 days** from the publication of this resolution within which to commence such repair or removal and the premises made safe and secure. If the owner of such structure, or structures fails to diligently prosecute the same until the work is completed, said governing body will cause the structure, or structures, to be razed and removed, in order to make the premises safe and secure.

BE IT FURTHER RESOLVED, that the City Clerk shall cause this resolution to be published once in the official city newspaper and a copy mailed to the owner, his or her agent, lien holders and occupants as provided by law and a copy of said resolution shall be filed with the Montgomery County Register of Deeds.

Adopted this 10th day of September, 2026.

(SEAL)

Mayor

City Clerk





NOTICE OF PUBLIC HEARING TO CONSIDER CONDEMNATION OF PROPERTY

Date: July 22, 2026

TO:

Thomas & Jenann Hurley
1504 S. Pershing Ave
Wichita, Ks. 67218

Kim & Connor Harris
1221 W. Myrtle
Independence, Ks. 67301

Lien Holder:

RE: Unsafe or Dangerous Structure at: **1225 W. Myrtle**

Property records reflect that you are the owner or occupant of the above-described Property. This letter is being provided to you pursuant to K.S.A. 12-1751 et seq to advise you that staff for the City of Independence, Kansas, has determined that the Property is “unsafe or dangerous” and subject to condemnation or being ordered to be repaired or demolished.

On **July 09, 2026**, the City Commission adopted a Resolution for a public hearing to be held on **September 10, 2026, at 120 N. 6th Street**, Commission Room, Independence, Kansas 67301. The public hearing will commence at 5:30 p.m. At such hearing, the owner of the Property, the owner’s agent, lienholders or record, and any occupant may appear and show cause why the structure(s) on the Property should not be condemned and ordered repaired or demolished.

On the date of the hearing, the Governing Body shall hear the evidence (if any) presented. If the Governing Body finds that the Property is unsafe or dangerous, then the Governing Body may direct the structure(s) to be repaired or removed and the Property made safe and secure. The Governing Body shall also fix a reasonable time within which the repair or removal shall be commenced and, if the owner fails to commence the repair or removal within the time stated, or fails to diligently prosecute the same to completion, the Governing Body will cause the structure to be repaired or razed and removed.

Please contact us as soon as possible so that we may review the steps that must be undertaken to bring the Property into compliance and no longer be regarded as unsafe or dangerous. To that end, please find enclosed a proposed Remediation Agreement. With a signed Remediation Agreement—together with a scope of work and proof of funds—City staff will can recommend to the Governing Body that further enforcement actions be stayed pending compliance with the Remediation Agreement.



"Delivering Excellence"

Thank you for your prompt attention to this matter.

David Cowan

Assistant City Manager – Building & Code Enforcement

Attachments/Enclosures: Resolution No. **2026.091**

Cc:

Department of Building & Code Enforcement

120 N. 6th Street

Independence, Kansas 67301



State of Kansas, Montgomery County
This instrument was filed for
Record on July 10, 2026 11:45 AM
Recorded in Book 759 Page 298 - 298
Fee: \$0.00 202602251



Marilyn Calhoun
Marilyn Calhoun, Register of Deeds

RESOLUTION NO. 2026-091

A RESOLUTION FIXING A TIME AND PLACE AND PROVIDING FOR NOTICE OF HEARING BEFORE THE GOVERNING BODY OF THE CITY OF INDEPENDENCE, KANSAS, OF WHICH OWNERS, OWNERS AGENTS, LIEN HOLDERS OF RECORD AND ANY OCCUPANTS, IF ANY, OF THE STRUCTURE OR STRUCTURES IDENTIFIED BELOW, IN SAID CITY MAY APPEAR AND SHOW CAUSE WHY SAID STRUCTURE OR STRUCTURES SHOULD NOT BE CONDEMNED AND ORDERED REPAIRED OR DEMOLISHED PURSUANT TO K.S.A. 12-1751 ET. SEQ.

WHEREAS, the enforcing officer of the City of Independence, Kansas, did on the 9th day of July 2026, file with the Governing body of said City, statements, and reports in writing that the structure or structures located on said properties hereinafter described are unsafe and/or dangerous:

Legal: Lot 12, Jones Brothers and Potters Addition to the City of Independence, Montgomery County, Kansas.

Common Address: 1225 W Myrtle St.

Mortgage:

NOW, THEREFORE, be it resolved by the Governing Body of the City of Independence, Kansas:

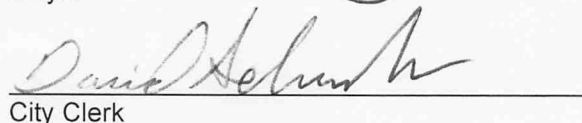
That a public hearing will be held on Thursday, **September 10, 2026** before the Governing Body of the City of Independence, Kansas, at 5:30 p.m., in City Hall, 120 N. 6th Street, Independence, Kansas, at which time the owner, the owners agent, any lien holders of record and any occupant of the structure or structures located on the properties described herein, may appear and show cause why such structure or structures should not be condemned as unsafe and/or dangerous and ordered repaired or removed.

Be it further resolved that the City Clerk shall cause this Resolution to be published one time each week for two consecutive weeks on the same day of each week, that at least thirty (30) days shall elapse between the last publication and the date set for hearing and the City Clerk shall give notice of the aforesaid hearing in the manner provided by Ordinance and by law.

Be it further resolved by the Governing Body of the City of Independence that its authority for the actions set forth herein is established pursuant to K.S.A. 12-1751 ET. SEQ.

Adopted this 9th day of July 2026.


Mayor


City Clerk

(SEAL)



Consider setting the date of September 10, 2026 at 5:30 PM for a Public Hearing to consider the condemnation of 1225 W. Myrtle Street as dangerous and unsafe.

**SUGGESTED
MOTION:**

I move to adopt a resolution scheduling a Public Hearing on September 10, 2026, at 5:30 PM to consider the condemnation of 1225 W. Myrtle Street as dangerous and unsafe.



Report Cover Page

Date:	06/03/2026	Prepared For:	City of Independence
Order No.:	3196434	Owner(s):	Thomas W. Hurley and Jenann M. Hurley
Issuing Office:	Security 1st Title 114 N. Pennsylvania Avenue Independence, KS 67301	Property Address:	1225 W Myrtle St, Independence, KS 67301

Note: The documents linked in this report should be reviewed carefully. These documents, such as covenants conditions and restrictions, may affect the title, ownership and use of the property. You may wish to engage legal assistance in order to fully understand and be aware of the implications of the effect of these documents on your property.

Vesting Documents:

[Montgomery county at book 545 page 416](#)

Tax Information:

[087-36-0-20-06-014.00-0](#)

Date: June 03, 2026

Property Address: 1225 W Myrtle St, Independence, KS
67301

File No.: 3196434

Title Contact: Mary Jo Wallis

Contact E-mail: mwallis@security1st.com

OWNERS AND ENCUMBRANCES REPORT

For the exclusive use of:

City of Independence

David Cowan

120 N. 6th Street

Independence, KS 67301

Effective Date of this Report: May 20, 2026 at 7:00 A.M.

On Real Estate described as:

Lot 12, Jones Brothers and Potters Addition to the City of Independence, Montgomery County, Kansas

The Public Records located in Montgomery County indicate that:

A. Interest in the Land described in this Report is owned, at the Report Effective Date, by:

Thomas W. Hurley and Jenann M. Hurley

B. The Real Estate is encumbered by the following Mortgages, Federal Tax Liens, State Tax Liens, Bankruptcies, and Judgments:

1. The County Tax Records indicate that the general real estate taxes are:

General taxes and special assessments for the year 2025:

Full Amount: \$65.54, PAID

Tax Parcel Number: IC 4405

This Report is limited to only the information described above.

This Report is not nor is to be construed as, an Abstract of Title, Title Opinion, or Title Insurance Policy.

The total liability of this Company by reason of losses and damages that may occur by reason of any errors and omissions in this Company's report is limited to the fee it received for the preparation and issuance of this report.

Security 1st Title

Mary Jo Wallis

Licensed Abstracter

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The Parcel Number for this Property is 063-087-36-0-20-06-014.00-0
Quick Ref ID: 4251

Owner Information

Owner Name	HURLEY, THOMAS W & JENANN M
Address	1504 S PERSHING AVE WICHITA, KS 67218

Property Situs Address

Address	1225 W MYRTLE ST, Independence, KS 67301
----------------	--

Land Based Classification System

Function	Single family residence (detached)
Activity	Household activities
Ownership	Private-fee simple
Site	Developed site - with buildings

General Property Information

Prop Class	Residential - R
Living Units	1
Zoning	
Neighborhood	108.F
Tax Unit Group	108

Property Factors

Topography	Level - 1
Utilities	All Public - 1
Access	Paved Road - 1 Alley - 7
Fronting	Residential Street - 4
Location	Neighborhood or Spot - 6
Parking Type	On and Off Street - 3
Parking Quantity	Adequate - 2
Parking Proximity	On Site - 3
Parking Covered	
Parking Uncovered	

2026 Appraised Value

Class	Land	Building	Total
Residential - R	2,080	1,530	3,610
Total	2,080	1,530	3,610

2025 Appraised Value

Class	Land	Building	Total
Residential - R	2,080	1,420	3,500
Total	2,080	1,420	3,500

Tract Description

JONES BROS & POTTERS ADD, S36, T32, R15, Lot 12, Lot Width: 042.0 Lot Depth: 140.0 Plat Book/Page 6 /11 Deed Book/Page 545 /416 477 /010 474 /423 372 /185

Deed Information

Book1	Page1	Book2	Page2	Book3	Page3	Book4	Page4
545	416						

Market Land Information

Method	Type	AC/SF	Eff FF	Depth	D-Fact	Inf1	Fact1	Inf2	Fact2	Ovrd	Class	Value Est
Sqft	Primary Site - 1	5880				8	50					2,080

Dwelling Information

Dwelling Information		Comp Sales Information	
Res Type	Single-family Residence	Arch Style	Bungalow
Quality	FR-	Bsmt Type	Full - 4
Year Built	1910	Total Rooms	4
Eff Year		Bedrooms	2
MS Style	One Story	Family Rooms	
LBCSStruct	Detached SFR unit	Full Baths	1
No. of Units		Half Baths	
Total Living Area		Garage Cap	
Calculated Area	784	Foundation	Block - 3
Main Floor Living Area	784		
Upper Floor Living Area Pct.			
CDU	VP-		
Phys/Func/Econ	VP-/ /		
Ovr Pct Gd/RCN	/116,160		
Remodel			
Percent Complete			
Assessment Class			
MU Cls/Pct			

Dwelling Components

Code	Units	Pct	Quality	Year
Enclosed Wood Deck (SF), Solid Wall	84			
Frame, Siding, Wood		100		
Total Basement Area (SF)	784			
Wall Furnace		100		
Plumbing Rough-ins (#)	1			
Wood Deck (SF) with Roof	168			
Composition Shingle		100		

Raised Subfloor (% or SF)		100		
Plumbing Fixtures (#)	5			
Automatic Floor Cover Allowance				

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REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
September 10, 2026

Department Housing

Director Approval April Nutt

AGENDA ITEM Consider adopting a resolution amending the Neighborhood Exterior Grant Program.

SUMMARY RECOMMENDATION The Housing Steering Committee and the Economic Development Advisory Board recommend approval of the proposed amendments to the Neighborhood Exterior Grant Program to update the home valuation eligibility limit and establish enhanced assistance for qualifying low-income households.

BACKGROUND The Neighborhood Exterior Grant Program was established in 2021 to encourage reinvestment in residential properties, improve housing conditions, and strengthen and stabilize neighborhoods throughout the community. When the program was established, eligibility requirements included a maximum home valuation of \$100,000, a CDU classification of Average Minus or lower, and location within a Neighborhood Revitalization Area. In 2025, the City established a citywide Neighborhood Revitalization Area, excluding certain flood-prone properties, which effectively eliminated location within the revitalization area as a meaningful eligibility distinction.

Since the program was established, residential property values have increased significantly. Several applicants have been denied during the past 18 months because their home valuations were slightly above the \$100,000 eligibility limit. The Housing Steering Committee and the Economic Development Advisory Board determined that the current limit may now exclude properties and homeowners the program was originally intended to assist and recommends increasing the maximum eligible home value from \$100,000 to \$150,000.

The Committee also reviewed whether the program could better assist lower-income households that may have difficulty providing the funds necessary to complete eligible exterior improvements. The Committee recommends establishing an enhanced grant for households with income at or below 60% of HUD Area Median Income. Qualifying households would be eligible for assistance equal to 75% of approved eligible project costs, up to a maximum grant of \$7,500. 2026 HUD 60% AMI for Montgomery County is: Family of 1-\$36,000, Family of 2-\$41,160, Family of 3-\$46,320, Family of 4-\$51,420, Family of 5-\$55,560, and Family of 6-\$59,700.

The Housing Steering Committee and Economic Development Advisory Board recommend these amendments to better reflect current residential property values, make the program more accessible to qualifying lower-income households, and further the program's purpose of encouraging reinvestment in homes and neighborhoods.

FINANCIAL INFORMATION Program funding has not been fully utilized in recent years. Between 2024 and 2026, \$200,000 has been made available for the program. Of that amount, \$107,811.99 has been expended and \$40,000 is committed to eight currently open applications,

leaving an available balance of \$52,188.01. The available funding provides an opportunity to expand eligibility and provide additional assistance to qualifying low-income households while remaining within the program's existing funding allocation.

SUGGESTED MOTION I move to adopt a Resolution 2026-135 approving the proposed amendments to the Neighborhood Exterior Grant Program, increasing the maximum eligible home value to \$150,000 and establishing enhanced grant assistance for households at or below 60% of HUD Area Median Income, as presented.

SUPPORTING DOCUMENTS

1. NEG Memo to Independence City Commission 08272026
2. Resolution 2026-135 - Modifying the Neighborhood Exterior Grant Program (1)
3. Neighborhood Exterior Grant Program and Application - 2026 Amendment 09042026

MEMORANDUM

To: Independence City Commission

From: Housing Steering Committee and Economic Development Advisory Board

Date: August 27, 2026

Re: Recommended Changes to the Neighborhood Exterior Grant Program

The Housing Steering Committee and the Economic Development Advisory Board recently reviewed the Neighborhood Exterior Grant Program and recommends the following changes to better align the program with its mission of helping residents reinvest in their properties to improve and stabilize neighborhoods.

Background

The Neighborhood Exterior Grant Program was established in 2021 to encourage investment in residential properties and strengthen neighborhoods throughout the community. At the time the program was established, the maximum eligible home value was set at \$100,000.

Since 2021, residential property values have increased significantly. The Housing Steering Committee and Economic Development Advisory Board believes the current \$100,000 limit now excludes properties and homeowners that the program was originally intended to assist. Therefore, they recommend increasing the maximum eligible home value from \$100,000 to \$150,000.

Low-Income Assistance

The Housing Steering Committee and the Economic Development Advisory Board also recommends adding an enhanced grant component for low-income households. Under the proposed provision, households with income at or below 60% of HUD Area Median Income (AMI) would be eligible for a grant equal to 75% of approved eligible project costs, up to a maximum grant of \$7,500. HUD's 60% AMI for Montgomery County is: Family of 1-\$36,000, Family of 2-\$41,160, Family of 3-\$46,320, Family of 4-\$51,420, Family of 5-\$55,560, and Family of 6-\$59,700.

The Committees believe this provision would make the program more accessible to households that may have difficulty providing the resources necessary to complete exterior improvements. Providing additional assistance to qualifying households would further the program's objective of encouraging property reinvestment and stabilizing neighborhoods.

Program Funding

The Committees also reviewed recent program utilization. Funding allocated to the Neighborhood Exterior Grant Program has not been fully utilized during the past three years. In 2025, the City reduced the annual amount set aside for the program from \$100,000 to \$50,000, and funds remained available at year-end.

Between 2024 and 2026, a total of \$200,000 has been made available for the program. The current funding status is:

- Total funding available: \$200,000.00
- Funds expended: \$107,811.99
- Funds committed to 8 currently open applications: \$40,000.00
- Remaining available balance: \$52,188.01

The availability of uncommitted funds provides an opportunity to expand eligibility and provide greater assistance to qualifying low-income households while continuing to operate within the program's existing funding allocation.

Recommendation

The Housing Steering Committee and the Economic Development Advisory Board recommends the Independence City Commission approve the following modifications to the Neighborhood Exterior Grant Program:

1. Increase the maximum eligible home value from \$100,000 to \$150,000.
2. Establish an enhanced grant for households earning at or below 60% of HUD Area Median Income, providing 75% of approved eligible costs up to a maximum grant of \$7,500.
3. Maintain the program's overall mission of encouraging residents to reinvest in their properties in order to improve housing conditions and strengthen and stabilize neighborhoods.

The Housing Steering Committee and the Economic Development Advisory Board believes these changes will modernize the program to reflect current housing values, make assistance more accessible to lower-income residents, and make more effective use of funds already allocated for neighborhood reinvestment.

RESOLUTION NO. 2026-135

A Resolution Modifying the Terms of the Independence Neighborhood Exterior Grant Program

BE IT RESOLVED by the Governing Body of the City of Independence, Kansas:

The Independence Neighborhood Exterior Grant Program originally adopted by Resolution 2021-008, and modified by Resolutions 2021-026, 2024-009, and 2025-018, as modified, is attached hereto and incorporated herein by reference, and is hereby approved and adopted by the governing body.

Adopted by the Governing Body of the City of Independence, Kansas, on the 10th day of September 2026.

Dean Hayse, Mayor

ATTEST:

DAVID W. SCHWENKER, City Clerk



Independence Neighborhood Exterior Grant Program

This program administered by the City of Independence in conjunction with the Independence Housing Authority helps homeowners in the City of Independence reinvest in their properties and improve neighborhoods. Two (2) or more neighboring homeowners must submit co-applications to participate. The City of Independence will reimburse each co-applicant a portion of the actual costs of improvements to their homes.

The program begins March 1st and runs until program funding is exhausted.

How Much Assistance Can I Receive?

The program offers two reimbursement levels:

- **Standard Grant:** The City reimburses 50% of approved eligible project costs, up to \$5,000.
- **Enhanced Grant:** If your household income is at or below the current annual HUD 60% Area Median Income limit, you may apply for enhanced assistance. The City reimburses 75% of approved eligible project costs, up to \$7,500.

Each neighboring co-applicant is evaluated separately and may qualify for a different reimbursement level.

Homeowner Investment	Standard Grant Reimbursement (50%)	Enhanced Grant Reimbursement (75%)
\$1,000 (minimum per co-applicant)	\$500	\$750
\$5,000	\$2,500	\$3,750
\$10,000+	\$5,000 (maximum per co-applicant)	\$7,500 (maximum per co-applicant)

Income Eligibility for Enhanced Grants

The Independence Housing Authority will make the final income-eligibility determination and tell applicants what documentation to provide. For the current income limits or help determining whether you may qualify, contact the Independence Housing Authority at 620-332-2536.

Eligibility

To take part in the Neighborhood Exterior Grant Reimbursement Program a property cannot be located in a flood plain and must meet one of two requirements: 1) Your property must have a Condition, Desirability, and Utility (CDU) rating of Average Minus or below by Montgomery County, **OR** 2) your property must be valued at \$150,000 or less by Montgomery County records.

To learn more about your home's CDU rating and value, visit the Montgomery County public parcel search page at <https://montgomery.kansasgov.com/parcel/>

Eligibility - Continued

To qualify to participate in the Neighborhood Exterior Grant Program, applicants must meet the following:

- Non-apartment residential properties (A.D.U.'s, duplexes and triplexes are eligible).
- **Applicant must have a partnering neighbor within line of sight of as a co-applicant. No single property applications will be accepted.**
- The property's real estate taxes must be paid and current.
- City utility bills must be current on all properties in the applicant's name or ownership.
- You must provide proof of adequate property insurance on the property.

- The improvements must meet Independence city code and applicable building codes.
- The improvement must not be paid for using an insurance settlement or other governmental funding.
- A minimum of \$1,000 in eligible improvements is required per co-applicant.
- Previous improvements may not be considered for reimbursement.
- Minimum exterior inspection requirements must be met. If an applicant fails an item at inspection, said item must be corrected prior to application approval or must be addressed within proposed improvements (see Inspection document for details).
- Each structure containing a dwelling qualifies for an individual application if they have their own 911 address and separate utilities.

Eligible Improvements include:

- Façade restoration
- Exterior painting or siding
- Masonry
- Window and door repair or replacement
- Awnings
- Gutters
- Exterior lighting or electrical work
- Building additions
- Front porch repair
- Roofs
- Driveway repair or installation
- Landscaping (limited to 20% of the total project if not related to integral components of the structural integrity)
- Tree removal (limited to 20% of the total project if not related to integral components of the structural integrity)
- Garage (attached or detached)
- Accessory Dwelling Unit (ADU) – Must be occupied as an active rental in compliance with City Code for five years after receiving the grant or funds must be repaid

Ineligible Improvements include:

- Work completed prior to grant approval
- Fences
- Decks
- Patios
- Play equipment
- Lawn care or maintenance
- Swimming pools or spas
- Playhouse
- Workshop
- Storage Shed
- Pool House
- Greenhouse
- New home construction
- Detached Rec Room, Den, Craft/Hobby Room, Office, or any other detached structure not specifically listed as being eligible

Note, the City reserves the right to determine if a proposed improvement meets program requirements.

How to Apply and Program Process

- The City will accept applications while funds are available.
- Grant money will be distributed on a first come, first served basis until all funding is appropriated.
- Applications can be emailed to apriln@independenceks.gov or received at City Hall, 120 N. 6th St., Independence, KS, 67301. Attn: Neighborhood Exterior Grant Program
- Applicants will be notified within **30** business days of completed application. An application is not considered complete until both co-applicant applications are received.
- **Work may not begin until the grant approval date. Any prior work will not be considered in the project cost.**
- Projects must start within 120 days of approval. Extensions may be granted with written approval prior to the 120-day deadline.
- Projects must be completed within 120 days of the start date. Extensions may be granted with written approval prior to the 120-day deadline.
- Contractor(s) utilized to perform improvements must have a current Independence Occupational license, and if appropriate, professional license.
- All participating rentals must have a landlord license.
- Must pass a minimum exterior inspection.
- This program will only reimburse the labor costs of the labor provided by a third-party contractor.
- All receipts (labor and material) must be submitted at the same time.
- City staff will perform a post-project inspection to verify project completion and compliance.
- **Five-Year Limit:** Limited to \$5,000 from the Standard Grant or \$7,500 from the Enhanced Grant per property in any 5-year period.



Independence Neighborhood Exterior Grant Program Application

To be completed by the applicant:

Owner of Record (must be applicant): _____

Phone: _____ Email: _____

Mailing Address: _____ Property Address: _____

Property Type: _____ Single-Family Residential

_____ Multi-Family Residential

_____ Owner-Occupied

_____ Rental Property

Apply for Enhanced Grant (household income at/below current HUD 60% AMI): [] Yes [] No

Enhanced grants are limited to owner-occupied properties. Income-limit questions: Independence Housing Authority, 620-332-2536

Description of Proposed Improvements:

Anticipated Project Start Date: ____/____/____

Estimated Total Cost of Improvements: \$ _____

Anticipated Project Completion Date: ____/____/____

Co-Applicant: _____

Property Address: _____

Co-Applicant: _____

Property Address: _____

Co-Applicant: _____

Property Address: _____

Required supplemental documentation:

_____ Copy of current homeowner's insurance policy

_____ Paid Property Tax Receipt

_____ Bids/Quotes/Estimates to support estimated project cost

By signing below, I understand the project must begin after an approval letter has been received and within 120 days of the application approval date. If outside of the applicable timeframe, reimbursement may not occur. I certify that to the best of my knowledge all the information that I provide is truthful and factual. I understand that this is a City program, and all application and project information may be subject to Kansas open records laws. I understand that by participating in the Neighborhood Exterior Grant Program, I give my consent for City staff to enter my property to make inspections related to the program and that photos taken of my property can be used in City promotional materials. Monies granted through this program will be reported on IRS Form 1099-G.

Signature of applicant (owner): _____

Date: ____/____/____

SSN: _____

Applications may be emailed to: apriln@independenccks.gov or sent to:
City Hall, 120 N. 6th St., Independence, KS, 67301. Attn: Neighborhood Exterior Grant Program

FOR CITY OFFICE USE BELOW

___ Appropriate Property Type

___ CDU Rating (must be Average minus or under per County records)

___ Property Value (must be \$150,000 or less per County records)

___ Approved Grant verified by IHA: ___ Standard (50%; \$5,000) ___ Enhanced Grant (75%; \$7,500)

___ Property is not located in the flood plain

___ Rental License Current (if applicable)

___ Eligible Co-Applicant Co-Applicant Name: _____ Address: _____

___ Improvements are Eligible for Grant

___ Estimated Improvements over \$1,000 (supporting documents substantiating cost also received)

___ Real Estate Taxes Current

___ City Bills Current

___ Copy of Homeowner's Insurance Received

___ Before Pictures Taken

___ Funding Available

___ Building Permit Required (Yes/No)

___ Building Permit Issued Permit No. _____

Initial Inspection of Property/Project: ___/___/___ See Attached Inspection Sheet

Application Approval Date: ___/___/___ Approved By: _____

Project Check – 120 Days: ___/___/___ Checked By: _____ Date: ___/___/___

Project Check – Ext. Date: ___/___/___ Checked By: _____ Date: ___/___/___

Project Completion Date: ___/___/___ Reviewed By: _____

Program Close-Out Documentation

___ After Pictures Taken

___ Improvements Meet City Code and Building Requirements

___ Payment Submitted to Accounts Payable (approved reimbursement Rate: _____% Maximum Award: \$_____)

Date: _____ Amount: \$_____ By: _____

Account 025-010-80510 Property Address: _____

Payee: _____ SSN/TIN: _____



REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
September 10, 2026

Department Housing

Director Approval April Nutt

AGENDA ITEM Consider approving a Downtown Independence Building Grant for 115 South 6th Street.

SUMMARY RECOMMENDATION The Downtown Independence Building Grant Committee recommends awarding a Downtown Independence Building Grant to Independence Industries for 115 South 6th for the purpose of roof replacement in an amount not to exceed \$25,000.

BACKGROUND Independence Industries submitted an application for funding through the Downtown Independence Building Grant Program for its property located at 115 South 6th Street. The building is currently experiencing roof leaks, and the requested grant funds would assist with the cost of replacing the roof to prevent further deterioration and damage to the structure.

The Downtown Independence Building Grant Committee reviewed the application and determined that the proposed roof replacement meets the intent of the grant program by supporting the preservation, maintenance, and continued productive use of downtown properties. Following its review, the Committee recommends that the City Commission approve and award the grant request to Independence Industries for the roof replacement at 115 South 6th Street.

FINANCIAL INFORMATION Independence Industries has submitted a Downtown Independence Building Grant Program application for the replacement of the roof on its building located at 115 South 6th Street.

Independence Industries has obtained three quotes and has chosen Falcon Roofing for \$83,275, with a grant amount of \$20,818.75.

The current unencumbered balance in the Downtown Independence Building Grant fund is \$26,165.38. Therefore, sufficient funds are available to fund a grant award of \$20,818.75 for the Independence Industries roof replacement project.

SUGGESTED MOTION I move to approve a Downtown Independence Building Grant for 115 South 6th Street in an amount of \$20,818.75.

SUPPORTING DOCUMENTS

1. 115 S. 6th Independence Industries Downtown Building 09022026_Redacted
2. Falcon Quote



INDEPENDENCE DOWNTOWN BUILDING GRANT APPLICATION

To be completed by the applicant:

Owner of Record (must be applicant): INDEPENDENCE INDUSTRIES INC

Phone: [REDACTED]

Email: [REDACTED]

Property Address: 115 SOUTH 6th
INDEPENDENCE, KS 67301

Mailing Address: P.O. Box 1293
INDEPENDENCE, KS 67301

Description of Proposed Improvements:

Estimated Total Cost of Improvements: \$ _____

Estimated Cost of Eligible Improvements: \$ _____

Grant Funding Requested: \$ _____

Anticipated Project Start Date: ____/____/____

Anticipated Project Completion Date: ____/____/____

Required Supplemental Documentation Checklist:

☒ Detailed breakdown of estimated project expenses, including non-eligible work

☒ Bids/Quotes/Estimates to support estimated project cost

☒ Architectural/Engineer stamped drawings and/or Contractor drawings with description of work

N/A Contact Information for lending institution, if financed by a loan

☒ Copy of current insurance policy

☒ Property Tax Statement

☒ Proof of Property Tax Payment/Good Standing



Architect / Engineer / Contractor Information:

Service: _____ Contact: _____

Phone: _____ Email: _____

Business Name: _____ City License #: _____

Service: _____ Contact: _____

Phone: _____ Email: _____

Business Name: _____ City License #: _____

Service: _____ Contact: _____

Phone: _____ Email: _____

Business Name: _____ City License #: _____

By agreeing to participate in this program, the applicant or their architects, engineers, contractors, or others will not seek to hold the City or their agents, employees, officers, and/or Commissioners liable for any property damage, personal injury, or other loss related in any way to the Independence Downtown Building Grant Program.

By signing below, I agree to participate in the program as outlined, to provide all required information and verifications of work, and to maintain the property and improvements, including but not limited to, promptly removing graffiti, sweeping, and shoveling in front of the property. I certify that to the best of my knowledge, all the information provided is truthful and factual. I understand that by participating in this program, I give my consent for City staff to enter my property to make inspections related to the program and that photos taken of my property can be used in City promotional materials. Monies granted through this program will be reported on IRS Form 1099-G.

Signature of applicant (owner): _____ Date: ____/____/____

Entity Tax Identification Number or Social Security Number: _____

Applications may be emailed to davidc@independencets.gov or sent to:
City Hall, 120 N. 6th St., Independence, KS 67301, Attn: Downtown Building Grant



Montgomery County Treasurer's Office
Mandi Hargis, Treasurer

Page # 1

217 E. Myrtle / P.O. Box 767
Independence, Kansas 67301
620.330.1100

PAID TAX RECEIPT

INDEPENDENCE INDUSTRIES INC
PO BOX 1293
INDEPENDENCE, KS 67301-1293

Receipt #	642473-001
Taxpayer ID	INDE0020
Tax Year	2025
Property Type	Real Estate
Tax Statement #	2574175
Entry/Posting Date	2025/12/23
Penalty Date	2025/12/22

	1st Half	2nd Half	Fees & Penalty	TOTAL
ORIGINAL Taxes Due	\$3,017.14	\$3,017.14		\$6,034.28
Paid This Receipt	\$3,017.14	\$3,017.14	\$0.00	\$6,034.28
Amount Due	\$0.00	\$0.00		\$0.00

Payer: **INDEPENDENCE INDUSTRIES INC**

CK#3240/MAIL

THANK YOU FOR YOUR PAYMENT

PROPERTY DESCRIPTION - REAL ESTATE

Owner..INDEPENDENCE INDUSTRIES INC Clrk Legal:IC 000823
Parcel.108-0000044280
CAMA #.099-31-0-20-18-011-00-0-01
Sec....31 Twn.32 Rng.16
Subdiv.W49 - Orig Plat Blk. Lots. St. Addr. 115S 6TH ST



PAID

13-0039-00

32130 (12-24)

ACRISURE MIDWEST PARTNERS INS
16805 W CLEVELAND AVE
NEW BERLIN WI 53151-3532
INVOICE

00005087



Agency phone: (620) 331-3700

Auto-Owners **INSURANCE**

LIFE • HOME • CAR • BUSINESS

1-800-288-8740

www.auto-owners.com

Statement date: 07/20/2026

TAILORED PROTECTION 75-893485
see reverse side

Account: 016869359

INDEPENDENCE INDUSTRIES INC
PO BOX 1293
INDEPENDENCE KS 67301-1293

Payment Plan
Current Balance
Minimum Due

Full Pay
\$3,640.00
\$3,640.00

*7-28-2026
Ck3254*

\$3,640.00 due on 08/07/2026

Congratulations! You are receiving a discount of up to 10% on your policy premium with our Full Pay payment plan.

fold and detach here

5084083

Policies on Account 016869359

Policy	Current Balance	Minimum Due
TAILORED PROTECTION 75-893485 - effective 08/07/2025 115 S 6TH ST INDEPENDENCE, KS 67301-3707	\$0.00	\$0.00
TAILORED PROTECTION 75-893485 - effective 08/07/2026 115 S 6TH ST INDEPENDENCE, KS 67301-3707	\$3,640.00	\$3,640.00

Access your policy at any time and on any device with online access

View policy documents, make payments, check claim status and more.

Visit customercenter.auto-owners.com to sign up or scan the QR code to get started.



Important Billing Information

- A fee of up to \$15.00 may be charged if a cancellation bill is issued (except IL, IA, MI, ND, NC, & VA).
- IL, IA, MI, ND, NC, & VA only - A fee of \$15.00 is charged if a cancellation bill is issued and your insurance is continued or reinstated. No fee is charged if your insurance is cancelled and not reinstated.
- A fee of up to \$25.00 may be charged for returned items. Returned items may be represented as an electronic ACH transaction.
- A fee of up to \$6.00 may be charged when making a payment by phone.
- A billing fee of up to \$4.00 may be charged for each bill. No fee is charged for accounts on the full pay payment plan, or accounts on other payment plans when fully paperless and set up for automatic EFT payments. The fee is reduced to \$2.00 for accounts receiving paper bills when set up for automatic EFT payments.
- Payments and credits may be applied to all lines of business on the same billing account and may be applied from one policy term to another. Payments received for less than the billed amount may be pro-rated to each policy and may result in the cancellation of all policies for non-payment of premium.

Property Details for PID: 0630993102018011000

Shareable link
to Property
Information : [https://www.kansasgis.org/orka/permalinkprop.cfm?
parcelid=0630993102018011000](https://www.kansasgis.org/orka/permalinkprop.cfm?parcelid=0630993102018011000)

Shareable link
to Map: [https://www.kansasgis.org/orka/permalink.cfm?
parcelId=0630993102018011000](https://www.kansasgis.org/orka/permalink.cfm?parcelId=0630993102018011000)

QuickRef ID : R7064

Owner Name : INDEP INDUSTRIES INC

Location: 115 S 6TH ST, Independence, KS 67301

Abbreviated
Boundary
Description: ORIG PLAT, S31, T32, R16, PRT LTS 22-24 BLK 54 DAF:
BEG NW COR LT 22 BLK 54 E 140' S 70' W 75.7' S.14'
NELY TO PT 70' S OF POB N TO POB; Lot Width: 070.0 Lot
Depth: 140.0

Owner Information:

Owner INDEP INDUSTRIES INC

Mailing
Address PO BOX 1293 INDEPENDENCE, KS 67301

Property Information:

Type Commercial & Industrial

Status Active

Taxing Unit 108 INDEPENDENCE CITY

Neighborhood
Code 208.D

No Secondary Address Details found

Market Land Details:

Actual Width:	0
Eff. Width	0
Eff. Depth	0
Acres	0
Square Feet	9,800

No Permit Details found

No Orion Deed Book Page Details found

Additional Deed Book Page Details

Deed Book/Page 283 /515

Value Details

	Year	2026
	Land	\$15,320.00
Current Final Value (Commercial and Industrial)	Building	\$117,630.00
	Total	\$132,950.00
Current Final Value (Commercial and Industrial)	Year	2025
	Land	\$15,320.00
	Building	\$116,520.00

Total \$131,840.00

No Dwelling Details found

No Manufactured Home Details found

No Additional Dwelling Details found

Other Improvements

Type :	Quantity :	Area :	Year Built :	Quality :	Condition :
Paving, Asphalt with Base	1	10	1970	LO-	PR
Chain Link Fence, Aluminum	1	10	1970	AV	AV

Commercial Building Details

Building No:	units :	Ident Units :	Struct Type :
1	0	1	Office building (low rise 1-4 stories)

Commercial Building Section Details

Section No:	Level From :	Level To :	Size :	Perimeter :	Occupancy :	Wall Height :	Year Built :
1	1	1	6602	346	Office Building	21	1925

Commercial Component Details

Commercial Component :	Warmed and Cooled Air	Units :	100 %
Commercial Component :	Canopy, Office- Bank Steel Frame	Units :	108
Commercial Component :	Brick, Solid	Units :	100 %
Commercial Component :	Porch, Raised Slab	Units :	608

No Ag Land Details found

No Ag Building Details found



Estimate

Falcon Roofing
Chris Carpenter
Sales & Project Manager
620-330-6912
ccarpfalcon@yahoo.com

Client: Montgomery County Action Council
Property: 115 S. 6th St.
Independence, KS, KS 67301

Cell: (316) 312-6148

Operator: TRAVIS.S

Estimator: Chris Carpenter

Cellular: (620) 330-6912

Reference: Chris Carpenter
Position: Sales & Project Manager
Company: Falcon Roofing
Business: 3963 CR 5200
Independence, KS 67301

Business: (620) 330-6912

Type of Estimate: Wind/Hail
Date Entered: 8/23/2026

Date Assigned:

Price List: KSKS8X_AUG26
Labor Efficiency: Restoration/Service/Remodel
Estimate: MCAC



Estimate

Falcon Roofing
Chris Carpenter
Sales & Project Manager
620-330-6912
ccarpfalcon@yahoo.com

MCAC

MCAC

DESCRIPTION	QUANTITY	UNIT PRICE	TAX	RCV	DEPREC.	ACV
Clean with pressure/chemical spray	7,422.00 SF	0.62	437.16	5,038.80	(0.00)	5,038.80
Replace Single-ply - Fully adhered system - 60 mil - fleece back TPO*	74.00 SQ	513.89	3,612.65	41,640.51	(0.00)	41,640.51
<i>This line item is to overlay the existing system.</i>						
Replace Flash parapet wall only - PVC/TPO - over 3' up to 6'	517.00 LF	28.23	1,386.52	15,981.43	(0.00)	15,981.43
Replace Curb flashing - PVC/TPO	15.00 LF	17.97	25.61	295.16	(0.00)	295.16
R&R Pipe jack flashing - PVC/TPO - Large	4.00 EA	126.72	48.16	555.04	(0.00)	555.04
R&R Roof scupper - PVC/TPO clad aluminum	3.00 EA	206.64	58.89	678.81	(0.00)	678.81
R&R Drip edge/gutter apron	83.00 LF	3.44	27.13	312.65	(0.00)	312.65
R&R Pitch pan / pocket - up to 6" x 6" x 4" - PVC/TPO/Rubber	4.00 EA	136.41	51.83	597.47	(0.00)	597.47
R&R Pipe jack flashing - PVC/TPO	1.00 EA	77.43	7.36	84.79	(0.00)	84.79
R&R Aluminum termination bar / flashing for membrane roofs	623.00 LF	3.13	185.25	2,135.24	(0.00)	2,135.24
Replace Additional charge for high roof (2 stories or greater)	66.00 SQ	28.55	179.01	2,063.31	(0.00)	2,063.31
Apply roofing sealant- per LF*	987.00 LF	1.03	96.58	1,113.19	(0.00)	1,113.19
Content Manipulation charge *	74.00 SQ	48.39	340.18	3,921.04	(0.00)	3,921.04
Total: MCAC			6,456.33	74,417.44	0.00	74,417.44
Line Item Totals: MCAC			6,456.33	74,417.44	0.00	74,417.44



Estimate

Falcon Roofing
Chris Carpenter
Sales & Project Manager
620-330-6912
ccarpfalcon@yahoo.com

Summary

Line Item Total	67,961.11
Total Tax	6,456.33
Replacement Cost Value	\$74,417.44
Net Claim	\$74,417.44

Chris Carpenter



REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
September 10, 2026

Department Admin

Director Approval David Cowan

AGENDA ITEM Consider setting the date of November 12, 2026 for a Public Hearing to consider the condemnation of 400 S. 16th Street as dangerous and unsafe.

SUMMARY RECOMMENDATION City Staff recommends setting a Public Hearing.

BACKGROUND The structure at 400 S. 16th Street has been reported to the City as vacant, with poor exterior conditions, and there have been no utilities for an extended period of time. City Staff recommends setting the date of November 12, 2026 for a Public Hearing to consider condemnation as dangerous and unsafe.

FINANCIAL INFORMATION The cost of removal if the owner fails to commence repair or removal of the structure.

SUGGESTED MOTION I move to adopt a resolution setting the date of November 12, 2026, for a Public Hearing to consider the condemnation of 400 S. 16th Street as dangerous and unsafe.

SUPPORTING DOCUMENTS

1. RESOLUTION 2026-136 - CONDEMNATION - PH - 400 S 16th
2. Photo 400 S. 16th
3. 2026 - Setting Date of Public Hearing -400 S. 16th - 08282026
4. 2026 - Setting Date of Public Hearing -400 S. 16th - 05192026
5. Parcel - 400 S. 16th
6. 3166935_OE_Report_revision_2

RESOLUTION NO. 2026-136

A RESOLUTION FIXING A TIME AND PLACE AND PROVIDING FOR NOTICE OF HEARING BEFORE THE GOVERNING BODY OF THE CITY OF INDEPENDENCE, KANSAS, OF WHICH OWNERS, OWNERS AGENTS, LIEN HOLDERS OF RECORD AND ANY OCCUPANTS, IF ANY, OF THE STRUCTURE OR STRUCTURES IDENTIFIED BELOW, IN SAID CITY MAY APPEAR AND SHOW CAUSE WHY SAID STRUCTURE OR STRUCTURES SHOULD NOT BE CONDEMNED AND ORDERED REPAIRED OR DEMOLISHED PURSUANT TO K.S.A. 12-1751 ET. SEQ.

WHEREAS, the enforcing officer of the City of Independence, Kansas, did on the 10th day of September 2026, file with the Governing body of said City, statements, and reports in writing that the structure or structures located on said properties hereinafter described are unsafe and/or dangerous:

Legal: The West 82 feet of Lot 12, the West 82 feet of the North 21 feet of Lot 11 and the West 100 feet of the South 29 feet of Lot 11, Block 1, Budd's Addition to the City of Independence, Montgomery County, Kansas.

Common Address: 400 S 16th St.

Mortgage:

NOW, THEREFORE, be it resolved by the Governing Body of the City of Independence, Kansas:

That a public hearing will be held on Thursday, **November 12, 2026** before the Governing Body of the City of Independence, Kansas, at 5:30 p.m., in City Hall, 120 N. 6th Street, Independence, Kansas, at which time the owner, the owners agent, any lien holders of record and any occupant of the structure or structures located on the properties described herein, may appear and show cause why such structure or structures should not be condemned as unsafe and/or dangerous and ordered repaired or removed.

Be it further resolved that the City Clerk shall cause this Resolution to be published one time each week for two consecutive weeks on the same day of each week, that at least thirty (30) days shall elapse between the last publication and the date set for hearing and the City Clerk shall give notice of the aforesaid hearing in the manner provided by Ordinance and by law.

Be it further resolved by the Governing Body of the City of Independence that its authority for the actions set forth herein is established pursuant to K.S.A. 12-1751 ET. SEQ.

Adopted this 10th day of September 2026.

(SEAL)

Mayor

City Clerk





CITY OF INDEPENDENCE, KANSAS

Office of the Building Official

120 N. 6th Street • Independence, KS 67301

Phone: (620) 332-2528 • Email: davidc@independenceks.gov

Date: August 28, 2026

To:

Munice Kettleman & Naomi Fender

861 N. Crestline

Wichita, Ks. 67212

RE: Notice of Setting a Date for a Public Hearing to Consider Condemnation of Property

Property Location: 400 S. 16th

Lien Holder:

Dear Ms. Kettleman,

On **September 12, 2026**, pursuant to **K.S.A. 12-1752**, the enforcing officer for the City of Independence, Kansas, will request that the **City Commission** set a **public hearing date** to consider whether the structure(s) located at **400 S. 16th.** is unsafe or dangerous, and whether they should be ordered by the Governing Body to be repaired or demolished.

The City has received reports from Code Enforcement staff and neighboring residents indicating that the structure(s) at this address are **vacant, deteriorated, and in disrepair**. Observed conditions include **exterior condition, debris, trees and brush**.

To avert condemnation proceedings for the above-referenced property, it is imperative that the following actions be undertaken **without delay**:

1. **Mortgage/Lien Holder Information** – Provide the City with the current mortgage or lien holder and insurance information.
2. **Structural Repair** – If you intend to repair the structure, submit a **detailed plan and timeline** outlining the steps you will take to restore the building to a safe and usable condition.



“Delivering Excellence”

3. **Property Maintenance** – Maintain the property in accordance with City Code, including **regular mowing, trimming of vegetation, and removal of all trash and debris.**
4. **Demolition Procedures** – If you choose to demolish the structure, begin the process immediately and provide the City with a **timeline for demolition and site clearance.** A **City-issued demolition permit** is required prior to any such work.

Commission Meeting – Setting the Date for a Public Hearing:

- **Date:** **September 12, 2026**
- **Time:** **5:30 PM**
- **Location:** **120 N. 6th – Commission Meeting Room 1st Floor**

Should you need clarification or wish to discuss this matter further, please contact me at your convenience at **(620) 332-2528** (office), **(620) 330-0056** (mobile), or via email at **davidc@independenceks.gov**.

Your prompt cooperation in addressing this matter is appreciated.
Sincerely,

David J. Cowan
Assistant City Manager
Building Official / Director
City of Independence, Kansas



CITY OF INDEPENDENCE, KANSAS

Office of the Building Official

120 N. 6th Street • Independence, KS 67301

Phone: (620) 332-2528 • Email: davidc@independenceks.gov

Date: May 19, 2026

To:

Munice Kettleman & Naomi Fender

861 N. Crestline

Wichita, Ks. 67212

RE: Notice of Setting a Date for a Public Hearing to Consider Condemnation of Property

Property Location: 400 S. 16th

Lien Holder:

Dear Ms. Kettleman,

On **June 11, 2026**, pursuant to **K.S.A. 12-1752**, the enforcing officer for the City of Independence, Kansas, will request that the **City Commission** set a **public hearing date** to consider whether the structure(s) located at **400 S. 16th.** is unsafe or dangerous, and whether they should be ordered by the Governing Body to be repaired or demolished.

The City has received reports from Code Enforcement staff and neighboring residents indicating that the structure(s) at this address are **vacant, deteriorated, and in disrepair**. Observed conditions include **exterior condition, debris, trees and brush**.

To avert condemnation proceedings for the above-referenced property, it is imperative that the following actions be undertaken **without delay**:

1. **Mortgage/Lien Holder Information** – Provide the City with the current mortgage or lien holder and insurance information.
2. **Structural Repair** – If you intend to repair the structure, submit a **detailed plan and timeline** outlining the steps you will take to restore the building to a safe and usable condition.



“Delivering Excellence”

3. **Property Maintenance** – Maintain the property in accordance with City Code, including **regular mowing, trimming of vegetation, and removal of all trash and debris.**
4. **Demolition Procedures** – If you choose to demolish the structure, begin the process immediately and provide the City with a **timeline for demolition and site clearance.** A **City-issued demolition permit** is required prior to any such work.

Commission Meeting – Setting the Date for a Public Hearing:

- **Date:** June 11, 2026
- **Time:** 5:30 PM
- **Location:** 120 N. 6th – Commission Meeting Room 1st Floor

Should you need clarification or wish to discuss this matter further, please contact me at your convenience at **(620) 332-2528** (office), **(620) 330-0056** (mobile), or via email at **davidc@independenceks.gov**.

Your prompt cooperation in addressing this matter is appreciated.
Sincerely,

David J. Cowan
Assistant City Manager
Building Official / Director
City of Independence, Kansas

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The Parcel Number for this Property is 063-087-36-0-10-38-002.00-0
Quick Ref ID: 4128

Owner Information

Owner Name	KETTLEMAN, MUNICE U; FENDER, NAOMI RUTH
Address	861 N CRESTLINE WICHITA, KS 67212

Property Situs Address

Address	400 S 16TH ST, Independence, KS 67301
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Land Based Classification System

Function	Single family residence (detached)
Activity	Household activities
Ownership	Private-fee simple
Site	Developed site - with buildings

General Property Information

Prop Class	Residential - R
Living Units	1
Zoning	
Neighborhood	108.F
Tax Unit Group	108

Property Factors

Topography	Level - 1
Utilities	All Public - 1
Access	Paved Road - 1 Sidewalk - 6
Fronting	Residential Street - 4
Location	Neighborhood or Spot - 6
Parking Type	On and Off Street - 3
Parking Quantity	Adequate - 2
Parking Proximity	On Site - 3
Parking Covered	
Parking Uncovered	

2026 Appraised Value

Class	Land	Building	Total
Residential - R	4,760	990	5,750
Total	4,760	990	5,750

2025 Appraised Value

Class	Land	Building	Total
Residential - R	4,760	820	5,580
Total	4,760	820	5,580

Tract Description

BUDDS ADD, S36, T32, R15, BEG NW COR LT 12 BLK 1 E 82' S 75' E 18' S 29' W 100' N TO POB; BEING PRT LTS 11 & 12 BLK 1; Lot Width: 104.0 Lot Depth: 100.0 Plat Book/Page 4 /22 Lot Width: 104.0 Lot Depth: 100.0 Deed Book/Page 552 /076 521 /541 386 /002 369 /271

Deed Information

Book1	Page1	Book2	Page2	Book3	Page3	Book4	Page4
552	076						

Market Land Information

Method	Type	AC/SF	Eff FF	Depth	D-Fact	Inf1	Fact1	Inf2	Fact2	Ovrd	Class	Value Est
Sqft	Primary Site - 1	9048										4,760

Dwelling Information

Dwelling Information					Comp Sales Information				
Res Type	Single-family Residence				Arch Style	Bungalow			
Quality	FR-				Bsmt Type	Crawl - 2			
Year Built	1910				Total Rooms	4			
Eff Year					Bedrooms	2			
MS Style	One Story				Family Rooms				
LBCSStruct	Detached SFR unit				Full Baths	1			
No. of Units					Half Baths				
Total Living Area					Garage Cap				
Calculated Area	672				Foundation	Stone - 4			
Main Floor Living Area	672								
Upper Floor Living Area Pct.									
CDU	UN								
Phys/Func/Econ	UN/ /								
Ovr Pct Gd/RCN	/81,580								
Remodel									
Percent Complete									
Assessment Class									
MU Cls/Pct									

Dwelling Components				
Code	Units	Pct	Quality	Year
Composition Shingle		100		
Automatic Floor Cover Allowance				
Plumbing Rough-ins (#)	1			
Raised Slab Porch (SF)	32		2	1960
Frame, Siding, Wood		100		
Wall Furnace		100		

Plumbing Fixtures (#)	5			
Raised Subfloor (% or SF)		100		
Enclosed Wood Deck (SF), Solid Wall	106			

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TECHNOLOGIES

Report Cover Page

Date:	05/26/2026	Prepared For:	City of Independence
Order No.:	3166935	Owner(s):	Muncie U. Kettleman and Naomi Ruth Fender
Issuing Office:	Security 1st Title 114 N. Pennsylvania Avenue Independence, KS 67301	Property Address:	400 S 16th St, Independence, KS 67301

Note: The documents linked in this report should be reviewed carefully. These documents, such as covenants conditions and restrictions, may affect the title, ownership and use of the property. You may wish to engage legal assistance in order to fully understand and be aware of the implications of the effect of these documents on your property.

Tax Information:

[063-087-36-0-10-38-002.00-0](#)

Date: May 26, 2026

Property Address: 400 S 16th St, Independence, KS 67301

File No.: 3166935

Title Contact: Ronda Ballew

Contact E-mail: rballew@security1st.com

OWNERS AND ENCUMBRANCES REPORT

For the exclusive use of:

City of Independence

David Cowan

120 N. 6th Street

Independence, KS 67301

Effective Date of this Report: May 12, 2026 at 7:00 A.M.

On Real Estate described as:

The West 82 feet of Lot 12, the West 82 feet of the North 21 feet of Lot 11 and the West 100 feet of the South 29 feet of Lot 11, Block 1, Budd's Addition to the City of Independence, Montgomery County, Kansas

The Public Records located in Montgomery County indicate that:

A. Interest in the Land described in this Report is owned, at the Report Effective Date, by:

Muncie U. Kettleman and Naomi Ruth Fender

B. The Real Estate is encumbered by the following Mortgages, Federal Tax Liens, State Tax Liens, Bankruptcies, and Judgments:

1. The County Tax Records indicated that the real estate taxes are:

General taxes and special assessments for the year 2025 in the amount of \$104.52, Not Paid.

Tax Parcel No. # 063-087-36-0-10-38-002.00-0

PIN # IC 2677

2. The County Tax Records indicated that the real estate taxes are:

General taxes and special assessments for the year 2024 in the amount of \$106.20, Not Paid.

3. The County Tax Records indicated that the real estate taxes are:

General taxes and special assessments for the year 2023 in the amount of \$33.00, Not Paid.

4. The County Tax Records indicated that the real estate taxes are:

General taxes and special assessments for the year 2022 in the amount of \$28.60, Not Paid.

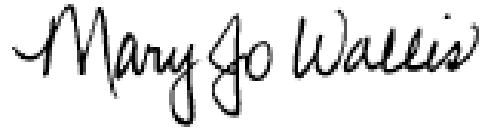
5. PENDING Case No. MGC-2026-CV-22: entitled Board of County Commissioners of Montgomery County, Kansas, as Plaintiff(s) vs. Muncie U. Kettleman and Naomi Ruth Kettleman (#515), as Defendant(s), filed in the District Court of MONTGOMERY, Kansas.

This Report is limited to only the information described above.

This Report is not nor is to be construed as, an Abstract of Title, Title Opinion, or Title Insurance Policy.

The total liability of this Company by reason of losses and damages that may occur by reason of any errors and omissions in this Company's report is limited to the fee it received for the preparation and issuance of this report.

Security 1st Title

A handwritten signature in black ink that reads "Mary Jo Wallis". The signature is written in a cursive, flowing style.

Licensed Abstracter



REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
September 10, 2026

Department Admin

Director Approval David Cowan

AGENDA ITEM Consider quotes received for emergency demolition and abatement of the 1610 W. Laurel Street trailer park.

SUMMARY RECOMMENDATION City Staff has provided the Commission with options to consider regarding the abatement of 1610 W. Laurel Street.

BACKGROUND The mobile home park at 1610 W. Laurel Street was closed in April 2026 due to numerous code violations, failed City NSPIRE inspections, and the failure of the property's water and sewer infrastructure. Since the closure, conditions have continued to deteriorate. Individuals have unlawfully occupied several trailers, structures have been vandalized and stripped of materials, and appliances, furnishings, and other debris have been discarded throughout the property. These conditions have created an ongoing public nuisance and a significant health and safety hazard requiring emergency action by the City.

On August 27, 2026, the enforcing officer determined that the property constituted an immediate hazard under K.S.A. 12-1756 and ordered it vacated. The City subsequently barricaded the entrance and directed law enforcement to enforce the closure. The City Commission also condemned the structures through the formal condemnation process.

The City solicited quotes for the demolition of the 29 structures and the abatement and clearance of the property. Three quotes were received, with G&G Dozer submitting the apparent low quote of \$61,500.

The Commission may consider temporarily abating the trash, debris, appliances, and other materials scattered throughout the property and securing the structures. The estimated cost of removing the debris, including City personnel and equipment, is between \$7,500 and \$10,000. Securing the 29 structures would require boarding approximately 58 doors, at least 50 windows initially, and other miscellaneous openings. The plywood, hardware, equipment, and several days of labor are estimated to cost a minimum of \$25,000, and potentially more if the work is performed by a contractor.

Accordingly, the City would spend approximately \$35,000 to provide only temporary abatement and security measures. Those measures would not eliminate the deteriorated structures or prevent the need for continued monitoring, maintenance, and enforcement. By comparison, the \$61,500 quote would remove the structures, clear the property, and provide a permanent resolution to the immediate hazard.

City staff recommends that the City Commission accept the quote from G&G Dozer and award the demolition, abatement, and site-clearance work at 1610 W. Laurel Street for an amount not to exceed \$61,500.

FINANCIAL INFORMATION The 2026 demolition fund had an available balance of \$129,000. On May 28, 2026, the City Commission awarded a demolition contract for \$139,890 and reserved an additional \$25,000 for associated demolition expenses, resulting in a total project allocation of \$164,890. To fully fund that allocation, the City used the \$129,000 demolition fund balance and \$35,890 from the Commission's \$200,000 in the Economic Development and Transportation Fund designated towards Housing Initiatives, leaving a balance for Housing Initiatives of \$164,110.

If the Commission awards the \$61,500 contract to G&G Dozer, the remaining balance will be \$102,610.

SUGGESTED MOTION Option 1: I move to approve the demolition and abatement of 1610 W. Laurel to G&G Dozer in the amount of \$61,500 and for the Mayor to sign a contract with G&G, subject to approval by the City Attorney.

Option 2: I move to approve up to \$35,000 to abate and secure the property at 1610 W. Laurel Street.

SUPPORTING DOCUMENTS

1. Bid Tabulation - 1610 W. Laurel - 09032026
2. Agreement - 1610 W Laurel Emergency Demolition - G&G Dozer
3. RFQ's 1610 W. Laurel_Redacted
4. Notice of Immediate Hazard 08282026
5. Law Enforcement Directive - 08282026

BID TABULATION

Emergency Abatement and Site Clearance

Property	1610 W. Laurel Street	RFQ Date	September 3, 2026
Owner	City of Independence, Kansas	Responses	3 received

Submitted Quotations

Bidder	Location	Quoted Amount	Result
G&G Dozer	Caney, Kansas	\$61,500.00	Apparent Low Bid
MEGA	Independence, Kansas	\$69,310.00	
Cardinal Sitework	Pittsburg, Kansas	\$186,300.00	

Note: This tabulation reflects the quotations received and is provided for informational purposes only. Identification of the apparent low bid does not constitute a contract award. All quotations remain subject to review for responsiveness, qualifications, and approval by the City of Independence.



AGREEMENT FOR EMERGENCY DEMOLITION AND SITE ABATEMENT

1610 W. Laurel Street - Mobile Home Park

Owner	City of Independence, Kansas
Contractor	G&G Dozer
Contract Sum	\$61,500.00

This Agreement is entered into as of _____, 2026, by and between the City of Independence, Kansas (the "City"), and G&G Dozer (the "Contractor"). The parties agree as follows:

1. Contract Documents

The Contract Documents consist of this Agreement; the City's Request for Quote titled Emergency Demolition and Abatement of Immediate Hazard, 1610 W. Laurel Street - Mobile Home Park, revised August 28, 2026 (the "RFQ"); the Contractor's submitted quote; the City's Declaration of Immediate Hazard and Order for Emergency Abatement; the written Notice to Proceed; and any written change orders executed by the City and Contractor. These documents are incorporated into this Agreement by reference. If a conflict exists, this Agreement controls, followed by a properly executed change order, the RFQ, and the Contractor's quote.

2. Scope of Work

The Contractor shall furnish all labor, supervision, equipment, transportation, permits, notifications, testing, materials, and services necessary to complete the demolition, removal, abatement, and site restoration described in the Contract Documents. The work includes the 29 structures identified by the City at 1610 W. Laurel Street, together with associated decks, steps, skirting, anchors, accessory structures, foundations, footings, slabs, debris, required utility disconnections or caps, lawful disposal, backfill, grading, topsoil as needed, seeding, and final cleanup.

Existing public sidewalks and vegetation not interfering with the work shall remain unless the City directs otherwise in writing. No demolition debris may be buried on the property.

3. Contract Sum

The City shall pay the Contractor a fixed total amount of Sixty-One Thousand Five Hundred Dollars (\$61,500.00) for complete performance of the work. The Contract Sum includes all costs necessary to complete the base work, except regulated asbestos abatement authorized through a written change order. The Contractor shall not perform extra work or incur additional charges without a written change order approved by the City before the work is performed.



4. Notice to Proceed and Time

The Contractor shall not begin demolition until the City issues a written Notice to Proceed confirming that required inspections, regulatory notifications, waiting periods, utility clearances, and site-access requirements have been satisfied. The Contractor shall begin work as soon as those requirements permit, but no later than 30 calendar days after the Notice to Proceed, unless the City approves a written extension. The work shall be substantially complete within 30 calendar days after the Notice to Proceed. Time is of the essence.

5. Environmental and Regulatory Compliance

The Contractor is responsible for compliance with all applicable federal, state, and local laws and requirements, including those administered by KDHE, EPA, and OSHA. The Contractor is responsible for all environmental and asbestos abatement.

6. Insurance and Qualifications

Before beginning work, the Contractor shall provide evidence of all required registrations, licenses, and qualifications and certificates of insurance acceptable to the City. Coverage shall include workers' compensation as required by law, commercial general liability of not less than \$1,000,000 per occurrence, and commercial automobile liability with a combined single limit of not less than \$1,000,000. The City shall be named as an additional insured on applicable liability policies.

7. Safety, Site Security, and Damage

The Contractor is solely responsible for construction means and methods, employee safety, site security, barricades, fencing, warning signs, pedestrian protection, traffic control, and compliance with applicable safety requirements. The Contractor shall control dust, mud, noise, and tracked debris and protect streets, sidewalks, utilities, adjoining properties, and improvements designated to remain. Damage caused by the Contractor shall be repaired at the Contractor's expense.

8. Indemnification

To the fullest extent permitted by law, the Contractor shall indemnify, defend, and hold harmless the City and its officials, employees, and agents from claims, damages, losses, fines, penalties, costs, and regulatory actions arising from the Contractor's work, negligence, willful misconduct, or failure to comply with applicable law. This obligation does not require the Contractor to indemnify the City for the City's sole negligence or willful misconduct.

9. Inspection, Correction, and Acceptance

All work is subject to City inspection and acceptance. The Contractor shall notify the City before capping utility connections and before covering work requiring inspection. The Contractor shall promptly correct incomplete, defective, or nonconforming work at no additional cost. Neither inspection nor payment waives the City's right to require compliance with the Contract Documents.

10. Payment

The Contractor shall submit an invoice after completing the work. Final payment is conditioned upon City inspection and acceptance and receipt of required closeout documents, including lien waivers, disposal records, regulatory documentation, and any other documentation required by the Contract Documents. Payment does not constitute acceptance of defective or incomplete work.



11. Changes and Extensions

Any change in scope, Contract Sum, or time must be stated in a written change order signed by the Contractor and an authorized City representative. The City may approve a reasonable written extension for regulatory delay, severe weather, concealed hazardous materials, or another circumstance beyond the Contractor's reasonable control.

12. Termination

The City may terminate this Agreement for cause if the Contractor fails to begin or diligently prosecute the work, fails to comply with the Contract Documents or applicable law, creates an unsafe condition, or fails to correct deficient work after written notice and a reasonable opportunity to cure. In an emergency affecting public safety or property, the City may take immediate protective action. Upon termination for cause, the City may complete the work and charge resulting excess costs to the Contractor. The City may also terminate for convenience by written notice and shall pay only for acceptable work completed through the termination date.

13. Independent Contractor; Assignment

The Contractor is an independent contractor and is not an employee or agent of the City. The Contractor is responsible for its employees, subcontractors, taxes, payroll obligations, and work methods. The Contractor may not assign this Agreement or subcontract a material portion of the work without the City's prior written approval. Approval does not relieve the Contractor of responsibility for the work.

14. Notices

Notices to the City shall be delivered to the Assistant City Manager, City of Independence, 120 N. 6th Street, Independence, Kansas 67301. Notices to the Contractor shall be delivered to the address shown in the Contractor's submitted quote. Routine project coordination may occur by email or telephone, but a Notice to Proceed, change order, termination, or formal claim must be in writing.

15. Governing Law; Entire Agreement

Kansas law governs this Agreement. Venue for any action shall lie in Montgomery County, Kansas. The Contract Documents constitute the entire agreement and may be amended only in writing signed by both parties. If any provision is unenforceable, the remaining provisions remain effective. A waiver on one occasion does not waive future enforcement.

16. Authorization

Each person signing below represents that the person is authorized to bind the identified party. This Agreement becomes effective only after approval by the City Commission and execution by both parties.



SIGNATURES

The parties execute this Agreement as of the dates written below.

CITY OF INDEPENDENCE, KANSAS	G&G DOZER
_____ Mayor	_____ Authorized Signature
Date: _____	_____ Printed Name and Title
ATTEST: _____ City Clerk	Date: _____

Contract Documents to Attach

- Exhibit A - City's revised August 28, 2026 RFQ, including the project-location exhibit
- Exhibit B - G&G Dozer's submitted quote
- Exhibit C - Declaration of Immediate Hazard and Order for Emergency Abatement
- Exhibit D - Written Notice to Proceed, when issued



Office of the Assistant City Manager 120
North 6th Street
Independence, KS 67301

CITY OF INDEPENDENCE, KANSAS REQUEST FOR QUOTE

Emergency Demolition and Abatement of Immediate Hazard 1610 W. Laurel Street - Mobile Home Park

Quote deadline	<u>2:00 p.m., Thursday, September 3, 2026</u>
Submit to	City Clerk, City of Independence, 120 N. 6th Street, Independence, KS 67301
Email submission	davids@independenceks.gov
Questions/site visit	David Cowan, Assistant City Manager davidc@independenceks.gov 620-332-2528

Submission instructions. Quotes may be submitted by mail, email, or hand delivery. Quotes must be received by the deadline. The City is not responsible for delays in transmission or delivery.

1. PURPOSE AND AUTHORITY

The City is soliciting quotes for emergency demolition and site abatement at the property described below. The enforcing officer has determined that structures on the property constitute an immediate hazard requiring action to protect the public under K.S.A. 12-1756. A copy of the City's Declaration of Immediate Hazard and Order for Emergency Abatement will be incorporated into the resulting agreement.

The successful contractor shall coordinate all work with the City and shall not begin demolition until the City issues a written Notice to Proceed and confirms that required regulatory notifications, inspections, utility clearances, and site-access requirements have been satisfied.

2. PROPERTY AND PROJECT AREA

Street address: 1610 W. Laurel Street, Independence, Kansas 67301

Legal description: The West 268 feet of the E/2 of the SW/4 of the SW/4 of the SW/4 of Section 25, Township 32, Range 15, Montgomery County, Kansas.

Structures: Twenty-nine (29) structures located within the project area and identified by the City during the pre-quote site inspection.

Site inspection. Each bidder is responsible for inspecting the property and verifying site conditions, access, quantities, structure locations, and the work necessary to provide a complete quote. Contact David Cowan to arrange access before submitting a quote.

3. SCOPE OF WORK

- Provide all labor, supervision, equipment, transportation, permits, notifications, testing, and materials necessary to complete the work.
- Secure the active work area and provide barricades, fencing, warning signs, pedestrian protection, and traffic control as needed to protect the public.



Office of the Assistant City Manager 120
North 6th Street
Independence, KS 67301

- Demolish and remove the 29 structures identified by the City, together with attached decks, steps, skirting, anchors, accessory structures, and demolition debris, unless the City identifies an item to remain in writing.
- Remove foundations, footings, and slabs associated with the structures. Existing public sidewalks shall remain unless the City directs otherwise in writing.
- Remove fencing, shrubs, brush, and trees only where necessary to complete demolition, provide safe access, or as specifically directed by the City. Vegetation not interfering with the work shall remain.
- Arrange for required utility locates and coordinate disconnection, termination, or capping of water, sewer, gas, electric, telecommunications, and other services. Sewer connections shall be capped by a watertight method and are subject to City inspection.
- Do not bury demolition debris on the property. Transport all waste to facilities legally authorized to accept the applicable waste stream.
- Backfill excavations with clean, approved fill; compact as necessary to prevent settlement; grade the property to drain without creating adverse drainage on adjoining property; place suitable topsoil where necessary; seed disturbed areas; and leave the property clean, stable, and unobstructed.
- Control dust, mud, noise, and tracked debris and protect streets, sidewalks, utilities, adjoining properties, and remaining improvements from damage.



Office of the Assistant City Manager 120
North 6th Street
Independence, KS 67301

9. QUOTE EVALUATION AND CITY RIGHTS

The City intends to award the work to the lowest and best responsible bidder whose quote is determined to be in the City's best interest. Price will be considered together with qualifications, experience, proposed schedule, regulatory capability, completeness of the quote, and ability to perform the emergency work safely and promptly.

- The City reserves the right to accept or reject any or all quotes and waive minor informalities or irregularities.
- The City reserves the right to request clarification or additional information and investigate a bidder's qualifications and ability to perform.
- The City reserves the right to reject an incomplete, conditional, nonresponsive, or materially noncompliant quote.
- The City reserves the right to negotiate details within the scope of the solicitation when permitted by law and City policy.
- The City reserves the right to delay or cancel the award when determined to be in the City's best interest.

No contract exists until the City issues a written award and the parties execute all required contract documents. The City is not responsible for costs incurred in preparing or submitting a quote.

10. QUOTE FORM

The undersigned submits the following quote after reviewing the RFQ, inspecting the project area, and considering the conditions affecting the work:

Pricing component	Amount
Complete demolition and site restoration	\$ \$ 56,000.00
	\$
Other specifically identified cost: _____	\$ \$ 5,500.00
TOTAL BASE QUOTE	\$ \$ 61,500.00

Proposed number of calendar days to begin demolition after regulatory clearance: 30 days

Proposed number of calendar days to complete all work: 20 days

Proposed disposal facility and permit number: G+G Landfill # 0665

4. ASBESTOS AND ENVIRONMENTAL COMPLIANCE

The contractor is responsible for compliance with all applicable federal, state, and local environmental and occupational-safety requirements, including requirements of KDHE, EPA, and OSHA.

5. SCHEDULE AND EMERGENCY PROTECTION

- Demolition shall begin as soon as required inspections, notifications, waiting periods, utility clearances, and City authorization permit, but no later than fifteen (15) calendar days after the Notice to Proceed unless the City approves a written extension.
- All work shall be substantially complete within thirty (30) calendar days after the Notice to Proceed, subject only to a written extension approved by the City for regulatory delay, severe weather, concealed hazardous materials, or another circumstance beyond the contractor's reasonable control.
- Time is of the essence because the structures have been determined to constitute an immediate hazard.

6. CONTRACTOR QUALIFICATIONS AND INSURANCE

- The contractor must be properly registered or licensed for the work and shall provide evidence of experience completing comparable demolition projects.
- Before work begins, the contractor shall provide certificates of insurance acceptable to the City for commercial general liability, workers' compensation as required by law, and commercial automobile liability.
- Commercial general liability shall provide limits of not less than \$1,000,000 per occurrence. Automobile liability shall provide a combined single limit of not less than \$1,000,000. The City shall be named as an additional insured on applicable liability policies.

7. SAFETY, DAMAGE, AND INDEMNIFICATION

The contractor is solely responsible for the means and methods of construction, employee safety, site security, and compliance with applicable safety laws. Damage caused by the contractor to streets, sidewalks, utilities, adjoining property, or improvements designated to remain shall be repaired at the contractor's expense.

To the fullest extent permitted by law, the contractor shall indemnify, defend, and hold harmless the City and its officials, employees, and agents from claims, damages, losses, fines, penalties, and regulatory actions arising from the contractor's work, negligence, willful misconduct, or failure to comply with applicable law. Final indemnification language will be included in the City's contract documents.

8. INSPECTION, ACCEPTANCE, AND PAYMENT

- All work is subject to inspection and acceptance by the City. The contractor shall promptly correct deficient or incomplete work at no additional cost.
- The contractor shall notify the City before capping utility connections and before covering work requiring inspection.
- Final payment will be made only after completion and City acceptance of the work and receipt of required closeout documentation; lien waivers, disposal records, and a properly submitted invoice.



Office of the Assistant City Manager 120
North 6th Street
Independence, KS 67301

11. BIDDER CERTIFICATIONS AND SIGNATURE

- The bidder has inspected the property and is familiar with observable site conditions.
- The quote includes all work and costs described as part of the base quote, except regulated asbestos abatement subject to an authorized change order.
- The bidder can provide the required insurance, qualifications, licenses, and documentation.
- The bidder agrees that this quote will remain valid for thirty (30) calendar days after the submission deadline.

Legal name of bidder:

G+G Dozer Company

Business address:

1875 Hwy 75 N.

Telephone:

[REDACTED] 624

office: 620-879-5243

Authorized signature:

Gary Gorbey

Authorized representative and title:

owner, Gary Gorbey

City, state, ZIP:

Caney, KS 67333

Email:

[REDACTED]

Date:

9-3-26

11. BIDDER CERTIFICATIONS AND SIGNATURE

- The bidder has inspected the property and is familiar with observable site conditions.
- The quote includes all work and costs described as part of the base quote, except regulated asbestos abatement subject to an authorized change order.
- The bidder can provide the required insurance, qualifications, licenses, and documentation.
- The bidder agrees that this quote will remain valid for thirty (30) calendar days after the submission deadline.

Legal name of bidder:

MEGA

Authorized representative and title:

JAY BROENING OWNER

Business address:

2956 CR 3800

City, state, ZIP:

Indep. KS 67301

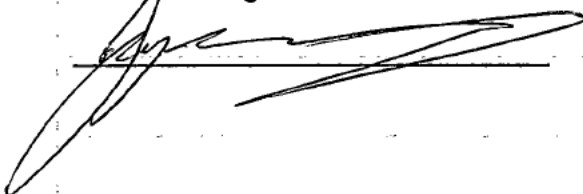
Telephone:

[REDACTED]

Email:

[REDACTED]

Authorized signature:



Date:

9-3-26

9. QUOTE EVALUATION AND CITY RIGHTS

The City intends to award the work to the lowest and best responsible bidder whose quote is determined to be in the City's best interest. Price will be considered together with qualifications, experience, proposed schedule, regulatory capability, completeness of the quote, and ability to perform the emergency work safely and promptly.

- The City reserves the right to accept or reject any or all quotes and waive minor informalities or irregularities.
- The City reserves the right to request clarification or additional information and investigate a bidder's qualifications and ability to perform.
- The City reserves the right to reject an incomplete, conditional, nonresponsive, or materially noncompliant quote.
- The City reserves the right to negotiate details within the scope of the solicitation when permitted by law and City policy.
- The City reserves the right to delay or cancel the award when determined to be in the City's best interest.

No contract exists until the City issues a written award and the parties execute all required contract documents. The City is not responsible for costs incurred in preparing or submitting a quote.

10. QUOTE FORM

The undersigned submits the following quote after reviewing the RFQ, inspecting the project area, and considering the conditions affecting the work:

Pricing component	Amount
Complete demolition and site restoration	\$
	\$
Other specifically identified cost: _____	\$
TOTAL BASE QUOTE	\$ <u>69310</u>

Proposed number of calendar days to begin demolition after regulatory clearance: _____

Proposed number of calendar days to complete all work: 18

Proposed disposal facility and permit number: JRB CED



Office of the Assistant City Manager 120
North 6th Street
Independence, KS 67301

CITY OF INDEPENDENCE, KANSAS REQUEST FOR QUOTE

Emergency Demolition and Abatement of Immediate Hazard 1610 W. Laurel Street - Mobile Home Park

Quote deadline

2:00 p.m., Thursday, September 3, 2026

Submit to

City Clerk, City of Independence, 120 N. 6th Street,
Independence, KS 67301

Email submission

davids@independenceks.gov

Questions/site visit

David Cowan, Assistant City Manager |
davidc@independenceks.gov | 620-332-2528

Submission instructions. Quotes may be submitted by mail, email, or hand delivery. Quotes must be received by the deadline. The City is not responsible for delays in transmission or delivery.

1. PURPOSE AND AUTHORITY

The City is soliciting quotes for emergency demolition and site abatement at the property described below. The enforcing officer has determined that structures on the property constitute an immediate hazard requiring action to protect the public under K.S.A. 12-1756. A copy of the City's Declaration of Immediate Hazard and Order for Emergency Abatement will be incorporated into the resulting agreement.

The successful contractor shall coordinate all work with the City and shall not begin demolition until the City issues a written Notice to Proceed and confirms that required regulatory notifications, inspections, utility clearances, and site-access requirements have been satisfied.

2. PROPERTY AND PROJECT AREA

Street address: 1610 W. Laurel Street, Independence, Kansas 67301

Legal description: The West 268 feet of the E/2 of the SW/4 of the SW/4 of the SW/4 of Section 25, Township 32, Range 15, Montgomery County, Kansas.

Structures: Twenty-nine (29) structures located within the project area and identified by the City during the pre-quote site inspection.

Site inspection. Each bidder is responsible for inspecting the property and verifying site conditions, access, quantities, structure locations, and the work necessary to provide a complete quote. Contact David Cowan to arrange access before submitting a quote.

3. SCOPE OF WORK

- Provide all labor, supervision, equipment, transportation, permits, notifications, testing, and materials necessary to complete the work.
- Secure the active work area and provide barricades, fencing, warning signs, pedestrian protection, and traffic control as needed to protect the public.

- Demolish and remove the 29 structures identified by the City, together with attached decks, steps, skirting, anchors, accessory structures, and demolition debris, unless the City identifies an item to remain in writing.
- Remove foundations, footings, and slabs associated with the structures. Existing public sidewalks shall remain unless the City directs otherwise in writing.
- Remove fencing, shrubs, brush, and trees only where necessary to complete demolition, provide safe access, or as specifically directed by the City. Vegetation not interfering with the work shall remain.
- Arrange for required utility locates and coordinate disconnection, termination, or capping of water, sewer, gas, electric, telecommunications, and other services. Sewer connections shall be capped by a watertight method and are subject to City inspection.
- Do not bury demolition debris on the property. Transport all waste to facilities legally authorized to accept the applicable waste stream.
- Backfill excavations with clean, approved fill; compact as necessary to prevent settlement; grade the property to drain without creating adverse drainage on adjoining property; place suitable topsoil where necessary; seed disturbed areas; and leave the property clean, stable, and unobstructed.
- Control dust, mud, noise, and tracked debris and protect streets, sidewalks, utilities, adjoining properties, and remaining improvements from damage.

4. ASBESTOS AND ENVIRONMENTAL COMPLIANCE

The contractor is responsible for compliance with all applicable federal, state, and local environmental and occupational-safety requirements, including requirements of KDHE, EPA, and OSHA.

5. SCHEDULE AND EMERGENCY PROTECTION

- Demolition shall begin as soon as required inspections, notifications, waiting periods, utility clearances, and City authorization permit, but no later than fifteen (15) calendar days after the Notice to Proceed unless the City approves a written extension.
- All work shall be substantially complete within thirty (30) calendar days after the Notice to Proceed, subject only to a written extension approved by the City for regulatory delay, severe weather, concealed hazardous materials, or another circumstance beyond the contractor's reasonable control.
- Time is of the essence because the structures have been determined to constitute an immediate hazard.

6. CONTRACTOR QUALIFICATIONS AND INSURANCE

- The contractor must be properly registered or licensed for the work and shall provide evidence of experience completing comparable demolition projects.
- Before work begins, the contractor shall provide certificates of insurance acceptable to the City for commercial general liability, workers' compensation as required by law, and commercial automobile liability.
- Commercial general liability shall provide limits of not less than \$1,000,000 per occurrence. Automobile liability shall provide a combined single limit of not less than \$1,000,000. The City shall be named as an additional insured on applicable liability policies.

7. SAFETY, DAMAGE, AND INDEMNIFICATION

The contractor is solely responsible for the means and methods of construction, employee safety, site security, and compliance with applicable safety laws. Damage caused by the contractor to streets, sidewalks, utilities, adjoining property, or improvements designated to remain shall be repaired at the contractor's expense.

To the fullest extent permitted by law, the contractor shall indemnify, defend, and hold harmless the City and its officials, employees, and agents from claims, damages, losses, fines, penalties, and regulatory actions arising from the contractor's work, negligence, willful misconduct, or failure to comply with applicable law. Final indemnification language will be included in the City's contract documents.

8. INSPECTION, ACCEPTANCE, AND PAYMENT

- All work is subject to inspection and acceptance by the City. The contractor shall promptly correct deficient or incomplete work at no additional cost.
- The contractor shall notify the City before capping utility connections and before covering work requiring inspection.
- Final payment will be made only after completion and City acceptance of the work and receipt of required closeout documentation, lien waivers, disposal records, and a properly submitted invoice.

9. QUOTE EVALUATION AND CITY RIGHTS

The City intends to award the work to the lowest and best responsible bidder whose quote is determined to be in the City's best interest. Price will be considered together with qualifications, experience, proposed schedule, regulatory capability, completeness of the quote, and ability to perform the emergency work safely and promptly.

- The City reserves the right to accept or reject any or all quotes and waive minor informalities or irregularities.
- The City reserves the right to request clarification or additional information and investigate a bidder's qualifications and ability to perform.
- The City reserves the right to reject an incomplete, conditional, nonresponsive, or materially noncompliant quote.
- The City reserves the right to negotiate details within the scope of the solicitation when permitted by law and City policy.
- The City reserves the right to delay or cancel the award when determined to be in the City's best interest.

No contract exists until the City issues a written award and the parties execute all required contract documents. The City is not responsible for costs incurred in preparing or submitting a quote.

10. QUOTE FORM

The undersigned submits the following quote after reviewing the RFQ, inspecting the project area, and considering the conditions affecting the work:

Pricing component	Amount
Complete demolition and site restoration	\$ 186,300
	\$
Other specifically identified cost: _____	\$
TOTAL BASE QUOTE	\$ 186,300

Proposed number of calendar days to begin demolition after regulatory clearance: 30

Proposed number of calendar days to complete all work: 90

Proposed disposal facility and permit number: Republic Services Landfill Cherryvale, Waste Permit #0505



Office of the Assistant City Manager 120
North 6th Street
Independence, KS 67301

11. BIDDER CERTIFICATIONS AND SIGNATURE

- The bidder has inspected the property and is familiar with observable site conditions.
- The quote includes all work and costs described as part of the base quote, except regulated asbestos abatement subject to an authorized change order.
- The bidder can provide the required insurance, qualifications, licenses, and documentation.
- The bidder agrees that this quote will remain valid for thirty (30) calendar days after the submission deadline.

Legal name of bidder:

Cardinal Sitework LLC

Authorized representative and title:

Zach Compton, Member

Business address:

2310 E 4th Pittsburg, KS 66762

City, state, ZIP:

Telephone:

[REDACTED]

Email:

[REDACTED]

Authorized signature:

Zach Compton

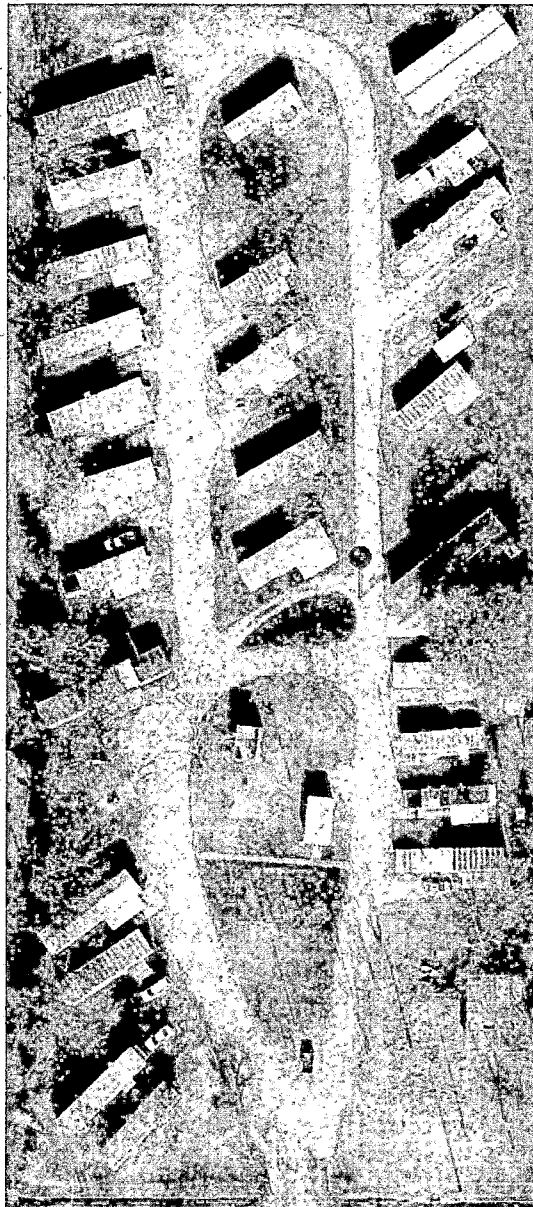
Date:

9/2/26

EXHIBIT A - PROJECT LOCATION

1610 W. Laurel Street - Mobile Home Park

Legal description: The West 268 feet of the E/2 of the SW/4 of the SW/4 of Section 25, Township 32, Range 15, Montgomery County, Kansas.



Aerial image is provided for general reference. The City will identify the 29 structures included in the work during the pre-quote site inspection.

NOTICE OF IMMEDIATE HAZARD, ORDER TO VACATE, AND EMERGENCY CLOSURE

Property: Entire mobile-home park at 1610 W. Laurel Street, Independence, Kansas 67301

Legal description: The West 268 feet of the E/2 of the SW/4 of the SW/4 of the SW/4 of Section 25, Township 32, Range 15, Montgomery County, Kansas.

Effective date: August 27, 2026

Authority: K.S.A. 12-1756 and applicable City ordinances

**THE ENTIRE PROPERTY IS CONDEMNED, VACATED, AND CLOSED TO
UNAUTHORIZED ENTRY.**

Finding of Immediate Hazard

The City's enforcing officer has determined that the structures and conditions throughout the above-described mobile-home park constitute an immediate hazard requiring immediate action to protect the public. The determination is based upon the City's inspection and documented conditions at the property.

Specific findings supporting the determination:

The mobile homes throughout the property are vacant, unsecured, and readily accessible to unauthorized persons. The City has received reports of, and observed evidence consistent with, unauthorized occupancy and individuals entering or remaining on the property. Appliances, furnishings, and other contents have been removed from the mobile homes and scattered throughout the property, creating debris and additional safety hazards. Individuals have also removed electrical wiring, fixtures, building materials, and other components from the mobile homes and have partially dismantled or damaged several structures. These ongoing activities have created unstable conditions, exposed electrical and structural components, sharp objects, trip hazards, and other dangerous conditions. Because the property cannot be adequately secured in its current condition, the continued unauthorized entry, occupancy, dismantling, and removal of materials present an immediate risk of injury to occupants, trespassers, emergency responders, and the general public.

Order

Pursuant to K.S.A. 12-1756, the enforcing officer orders as follows:

- The entire property, including every structure, dwelling, accessory building, drive, yard, and common area within the legal description, is ordered vacated and closed until this order is rescinded or modified in writing by the City.
- No owner, occupant, tenant, guest, visitor, or other member of the public may enter or remain on the property without prior written authorization from the enforcing officer.
- The City is authorized to barricade, fence, lock, secure, or otherwise block entrances and access points and to take other action reasonably necessary to protect the public.

- Emergency responders, law-enforcement officers, authorized City personnel, utility workers acting at the City's direction, and contractors authorized by the City may enter when necessary to perform official duties.
- A request to retrieve essential personal property must be made in advance to the City. Entry may be denied or permitted only under conditions established by the enforcing officer, including an escort, limited duration, and appropriate safety precautions.
- Any person found on the property without authorization will be directed to leave. A person who refuses to leave or knowingly reenters through or around posted signs, locks, fencing, or barricades may be subject to enforcement under K.S.A. 21-5808 and applicable City ordinances.

Duration and Contact

This order remains in effect until the immediate hazard is abated and the enforcing officer issues written authorization reopening the property or a specified portion of it. Removal, damage, or circumvention of a City barricade, fence, lock, or notice is prohibited.

City contact: David Cowan, Assistant City Manager | 620-332-2528 | davidc@independenceks.gov

 _____ 8-28-26
Signature of Enforcing Officer Date

Printed name and title: David Cowan
POSTED ON PROPERTY: 8-28-26 at 10:00 a.m./p.m.
Posted by: _____

LAW-ENFORCEMENT AND DISPATCH DIRECTIVE

Emergency Closure - 1610 W. Laurel Street

Effective: Immediately; August 27, 2026

Property: The entire mobile-home park at 1610 W. Laurel Street, including all property within the following legal description:

The West 268 feet of the E/2 of the SW/4 of the SW/4 of the SW/4 of Section 25, Township 32, Range 15, Montgomery County, Kansas.

Authority: Emergency closure and vacancy order issued under K.S.A. 12-1756

THE ENTIRE PROPERTY IS CLOSED. NO MEMBER OF THE PUBLIC IS AUTHORIZED TO ENTER WITHOUT PRIOR WRITTEN CITY APPROVAL.

Purpose

The enforcing officer has determined that conditions throughout the property constitute an immediate hazard. Police assistance is requested to maintain the emergency closure, remove unauthorized persons, prevent reentry, and protect the public while the property is secured and abated.

Officer Response

- Treat the entire property as a closed safety perimeter. Do not enter an unsafe structure unless required by an immediate emergency and consistent with officer-safety protocols.
- Determine whether the person is an authorized emergency responder, City employee, utility worker, or City-approved contractor performing official duties. Contractors should be able to identify the City contact or authorization under which they are working.
- Direct every unauthorized person to leave the property immediately and identify the safest available exit route.
- Personally communicate that the entire property has been closed by City order and that the person is not authorized to enter or remain.
- Document the person's identity, the time and location of contact, the order given, the person's response, and the condition of signs, fencing, locks, and barricades.
- If a person refuses to leave or knowingly returns after warning, evaluate enforcement under K.S.A. 21-5808 and applicable City ordinances in accordance with department policy and supervisory or prosecutorial guidance.
- Report damaged, missing, or circumvented signs, fencing, locks, or barricades immediately and request that the responsible City department restore the closure.

Requests to Retrieve Property

Officers should not authorize entry solely for retrieval of belongings. Refer the person to the City contact below. Entry may occur only after approval by the enforcing officer and under any conditions established by the City. If an immediate life-safety issue exists, follow normal emergency procedures.

Authorized Entry and Recordkeeping

Dispatch should retain the signed closure order and this directive with the location record. When practicable, authorized non-emergency entry should be communicated to Dispatch in advance with the person's name, organization, purpose, and expected time onsite. Officers retain discretion to take action reasonably necessary to address an immediate threat or emergency.

Contacts

Primary City contact: David Cowan, Assistant City Manager | 620-332-2528 |
davidc@independenceks.gov

Enforcing officer: *[Signature]* | Phone:

620-330-0092

After-hours Public Works/Board-up contact:

David Cowan

[Signature]

Signature of Issuing Official

Date

Printed name and title: *David Cowan*

8-28-20



REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
September 10, 2026

Department Police

Director Approval Dustin Stafford

AGENDA ITEM Consider approving a Proclamation and Resolution for Neewollah and authorizing street closures in the downtown and Riverside Park areas from October 23rd through October 31st for the 2026 Neewollah festival, which includes the carnival, food vendors, parades, and other associated activities.

SUMMARY RECOMMENDATION Staff recommends closing the streets in the requested areas.

BACKGROUND The Neewollah Festival has been a great source of pride for the City of Independence since 1919. The festival includes numerous activities for families, entertainment for the citizens of Independence, and for the neighboring communities to enjoy.

FINANCIAL INFORMATION Estimated \$18,000 for Police Department payroll for straight and overtime and approximately \$1,500 for supplies. This does not include overtime and expenses from other City departments who assist with this festival.

SUGGESTED MOTION I move to authorize the Proclamation and Resolution for the Neewollah Celebration.

SUPPORTING DOCUMENTS

1. 2026 Neewollah Proclamation
2. Resolution 2026-137 - Neewollah Resolution

PROCLAMATION 2026

WHEREAS: The Governing Body of the City of Independence, Montgomery County, Kansas, does recognize with pride the 2026 NEEWOLLAH Celebration; and

WHEREAS: The Governing Body wishes to express, on behalf of the citizens of Independence, our appreciation and gratitude to those many persons who have planned and will carry out this annual event; and

WHEREAS: The Governing Body does acknowledge that NEEWOLLAH serves as a gesture of good will toward our neighboring citizens and communities; and

WHEREAS: The Governing Body wishes to invite all neighbors and friends from surrounding areas to join in the activities of the celebration; and

WHEREAS: The Governing Body recognizes the vital importance of family events and family entertainment,

NOW, THEREFORE, BE IT PROCLAIMED By the Board of City Commissioners of the City of Independence, Montgomery County, Kansas that October 23, 2026, through October 31, 2025, be known as:

NEEWOLLAH

in this City and that the NEEWOLLAH celebration, be permitted to use certain streets and public rights-of-way for the celebration, and to urge all persons to join in the fun and activities of this annual event.

PASSED AND APPROVED THIS 10th day of September, 2026

THE CITY OF INDEPENDENCE, KS

Dean Hayse, Mayor

ATTEST:

David Schwenker, City Clerk

RESOLUTION NO. 2026-137

BE IT RESOLVED BY THE Governing Body of the City of Independence, Kansas;

- I. That the following will be the designated parade route and staging area for Neewollah festivities on Saturday, October 31, 2026, beginning at 6:00 a.m.:
 - A. Parade route -- Beginning at Penn Avenue and Sycamore Street, then South on Penn Avenue to Main Street, East on Main Street to 6th Street, South on 6th Street to Maple Street, West on Maple Street to 9th Street, North on 9th Street to Sycamore Street, which is the end of the parade route.
 - B. Staging area -- 100 blocks of East and West Chestnut Street, 100 block of East Locust Street, 100 through 300 blocks of West Locust Street, 100 through 200 blocks of West Pine Street, 100 block of Ash Street and Washington Street from Pine Street to Sycamore Street.
- II. The following will be the location of the carnival, setup beginning after 5p.m. on October 26, 2026, through October 31, 2026:
 - A. Carnival -- Laurel Street, from Penn Avenue, West to 9th and Laurel, North 8th Street from the North side of the intersection of 8th Street and Main Street North to the South side of 8th and Chestnut Street, the municipal parking lot between 8th Street and 9th Street on the south side of Laurel Street, Myrtle Street from Penn Ave to 9th Street.
- III. The following will be the location of concession stands and other activities during NEEWOLLAH festivities:
 - A. Concession stands and other activities – 100 through 700 blocks of North Penn Avenue, 100 block of South Penn Avenue, 100 block of East Laurel Street, 100 block of West Myrtle Street, 100 block of East Myrtle Street and the Municipal Parking Lots: southwest corner of 6th and Myrtle and the northeast corner of 6th and Myrtle, and portions of the southeast corner of 8th and Chestnut. 5th street west of the stadium and the roadway between the stadium and the 4-H buildings. Band shell, Oval & area around the Oval in Riverside Park.
- IV. The following will be the designated parade route for the Kiddy Parade on

Friday, October 30, 2026, beginning at 4:00 p.m. and the Doo-Dah Parade on Thursday, October 29, 2026, beginning at 5:00 p.m.

A. Parade route -- Penn Avenue from Locust Street to Magnolia Street and the 100 block on East and West Chestnut Street.

PASSED AND APPROVED This 10th day of September 2026.

Dean Hayse, Mayor

David Schwenker, City Clerk



Report
CITY OF INDEPENDENCE
September 10, 2026

Department Finance

Director Approval Lacey Lies

AGENDA ITEM Sales Tax Reports (2026, January - August)

BACKGROUND 2026 Sales Tax Report

Sales and Use taxes are Independence's largest funding source. The City receives a portion of the overall sales taxes paid within city limits (3%) for use as indicated below. The budgeted revenue generated from all sales and use taxes for 2026 is \$7,500,000, however projected revenue for 2026 based on actual 2025 collections is over \$7,800,000, which is more than double the amount of *all ad valorem taxes generated for the City in 2026 (\$3,889,323)*.

Sales Tax Breakdown	Percent
City of Independence General Fund Sales Tax	1.00%
City of Independence Educational Sales Tax	1.00%
City of Independence Special Use Sales Tax	1.00%
General Fund Support	0.25%
Debt Support	0.31%
Economic Development	0.05%
Building & Facility	0.12%
Streets	0.27%
CITY TOTAL	3.00%
State of Kansas	6.50%
TOTAL SALES TAX	9.50%

The amounts listed in each sales tax report represent 1% Sales Tax Collections. The “receipts” reported from the State of Kansas to the City for any given month are from sales generated two months prior.

SUPPORTING DOCUMENTS

1. January 2026 Sales Tax Report
2. February 2026 Sales Tax Report
3. March 2026 Sales Tax Report
4. April 2026 Sales Tax Report
5. May 2026 Sales Tax Report
6. June 2026 Sales Tax Report
7. July 2026 Sales Tax Report
8. August 2026 Sales Tax Report

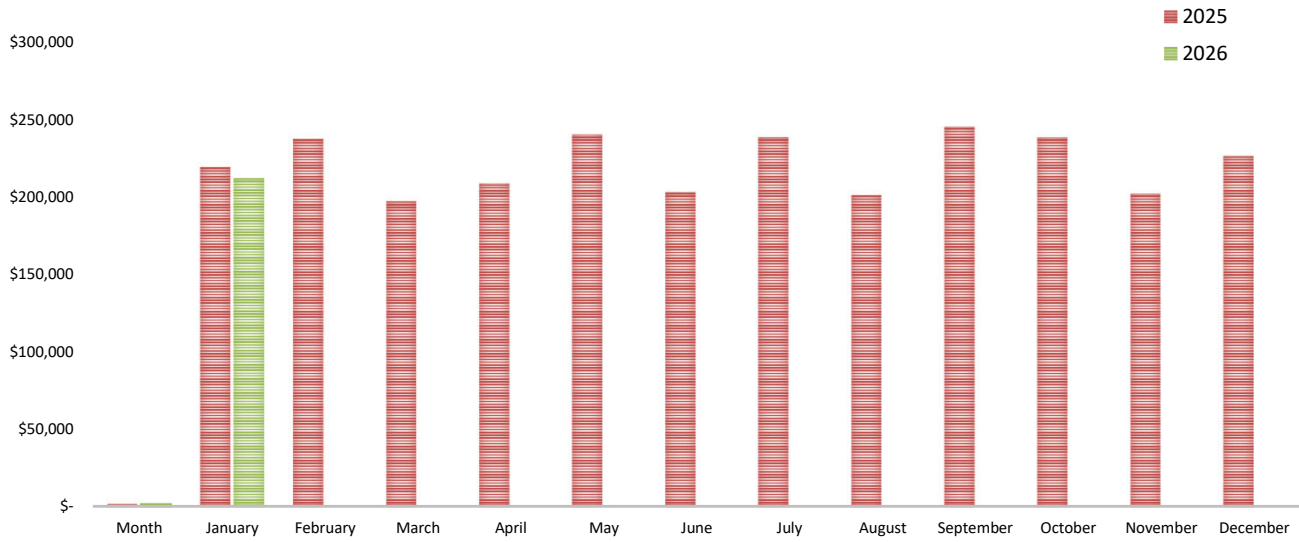


City of Independence 2026 Sales Tax - 1%

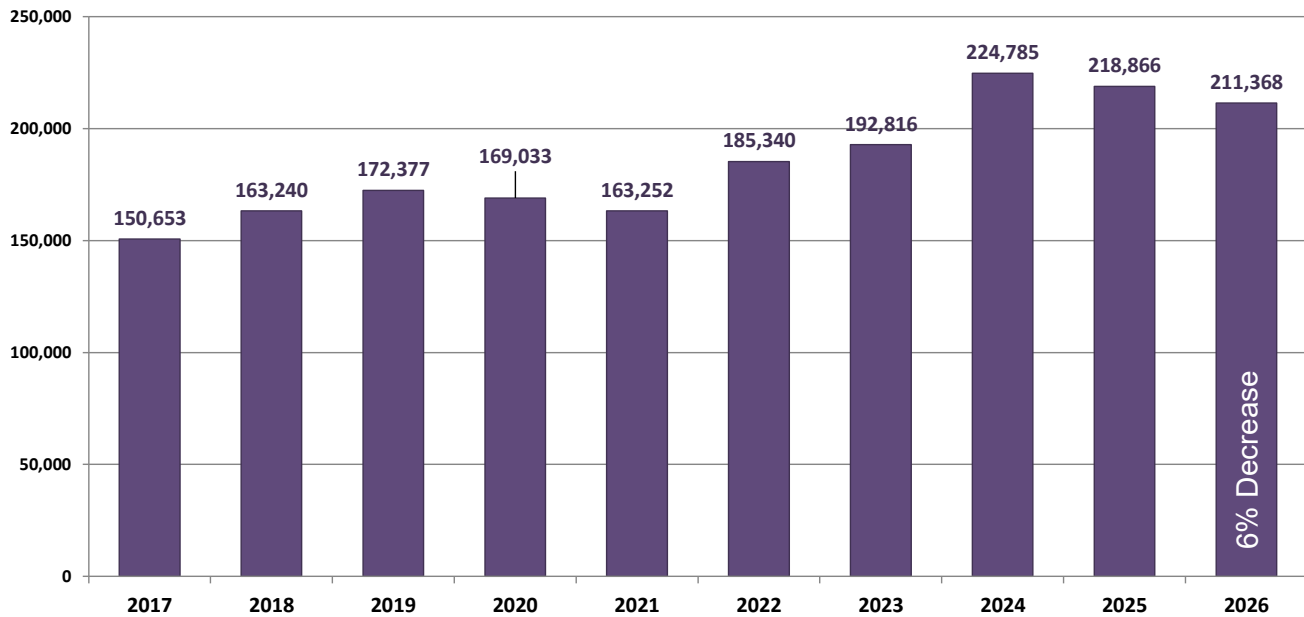
Comparison and History January - January 2026

	Fiscal Year	Fiscal Year	Fiscal Year	Fiscal Year		Fiscal Year	% Change	% Change
Month	2021	2022	2023	2024	2025	2026	FY 25-26	YTD
January	163,252	185,340	192,816	224,785	218,866	211,368	-3.4%	-3.4%
February	187,879	227,272	240,332	237,758	237,278			-53.7%
March	178,907	184,767	193,222	208,111	196,911			-67.6%
April	167,798	195,697	191,365	231,871	208,654			-75.5%
May	205,282	233,465	212,641	224,944	240,082			-80.8%
June	206,304	224,267	206,139	218,239	203,052			-83.8%
July	181,396	200,760	220,603	240,065	238,171			-86.3%
August	196,182	208,086	212,711	238,478	200,895			-87.9%
September	196,679	278,674	192,686	202,364	245,035			-89.4%
October	179,011	163,298	225,542	239,697	237,961			-90.5%
November	169,058	198,402	205,710	199,002	201,785			-91.3%
December	211,556	207,198	184,773	201,264	226,044			-92.0%
Total:	\$ 2,243,303	\$ 2,507,226	\$ 2,478,539	\$ 2,666,578	\$ 2,654,733	\$ 211,368		
% change	5.0%	11.8%	-1.1%	7.6%	-0.4%	-92.1%		
*Oct CPI % Change	6.2%	7.7%	3.2%	2.6%	2.7%			
Annualized	\$ 2,243,303	\$ 2,507,226	\$ 2,478,539	\$ 2,666,578	\$ 2,654,733	\$ 2,536,421	\$ (118,312)	
Budget	\$ 1,935,000	\$ 2,050,000	\$ 2,250,000	\$ 2,400,000	\$ 2,500,000	\$ 2,500,000	\$ -	
	\$ 308,303	\$ 457,226	\$ 228,539	\$ 266,578	\$ 154,733	\$ 36,421		
% Over/ (Under) PY Actual		11.8%	-1.1%	7.6%	-0.4%	-4.5%		
YTD % of Budget Collected		122.3%	110.2%	111.1%	106.2%	8.5%		
% Over Budget		22.3%	10.2%	11.1%	6.2%	1.5%		

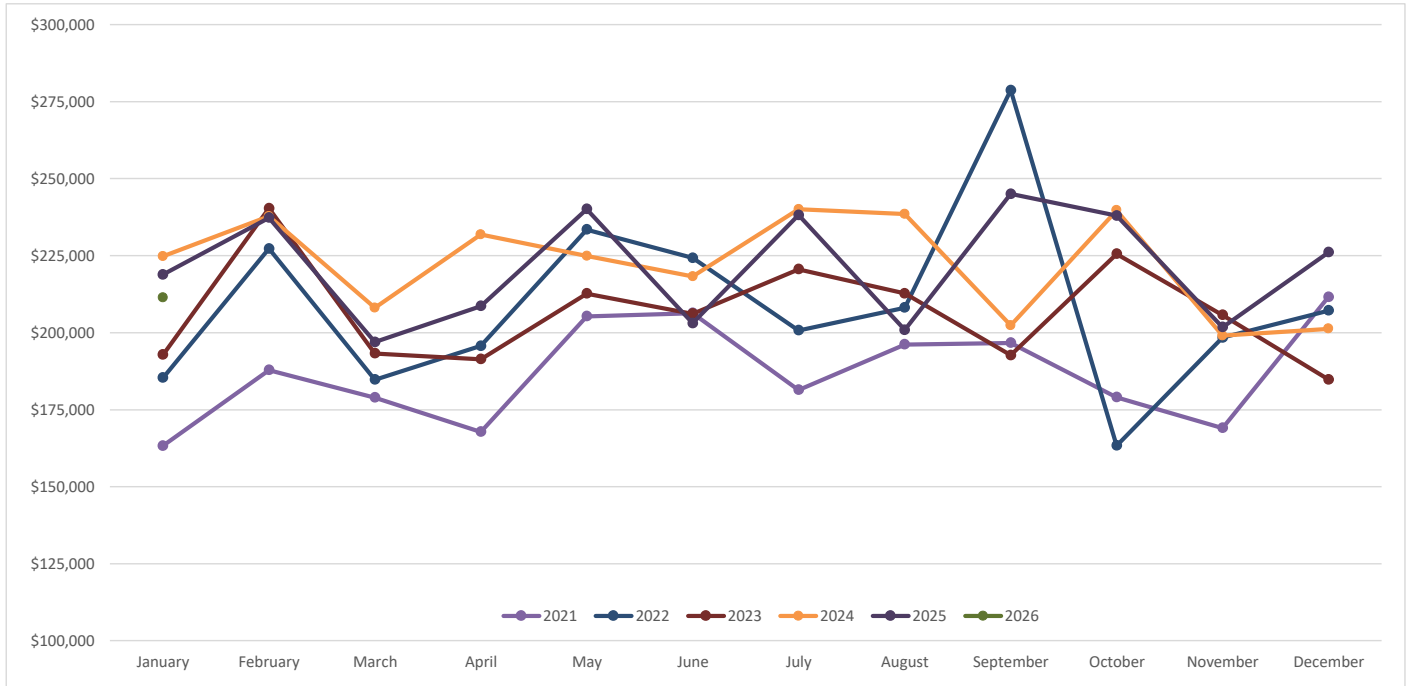
Sales Tax FY 2025 - FY 2026 Comparison



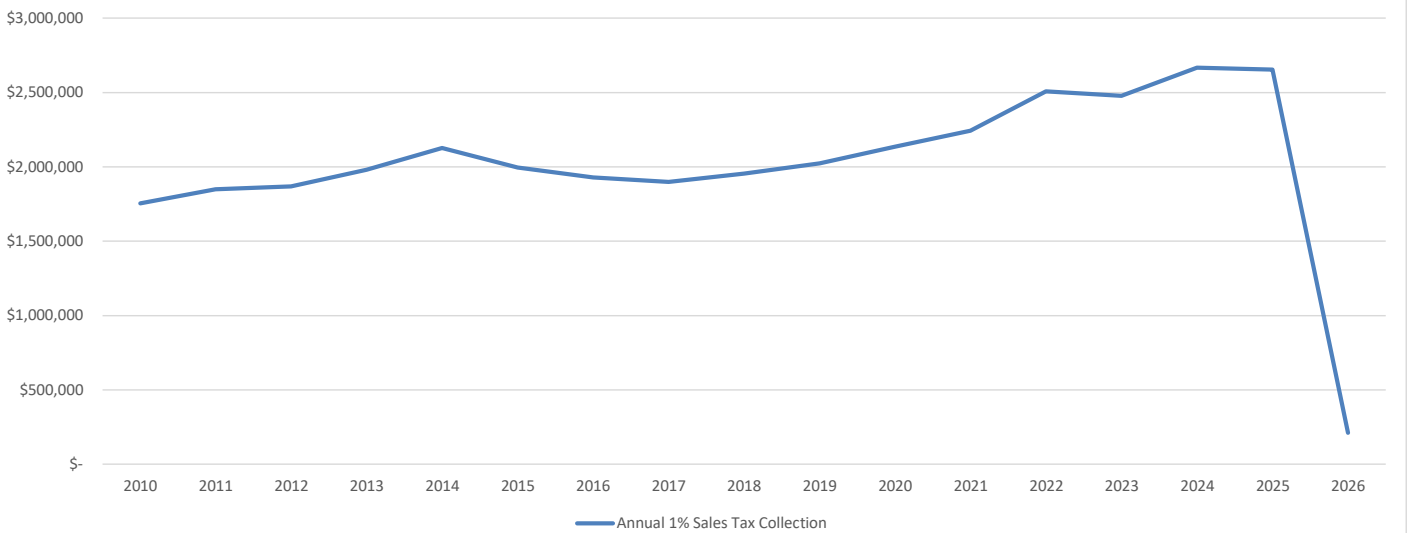
January 1% Sales Tax 10 Year History FY 2017 - FY 2026



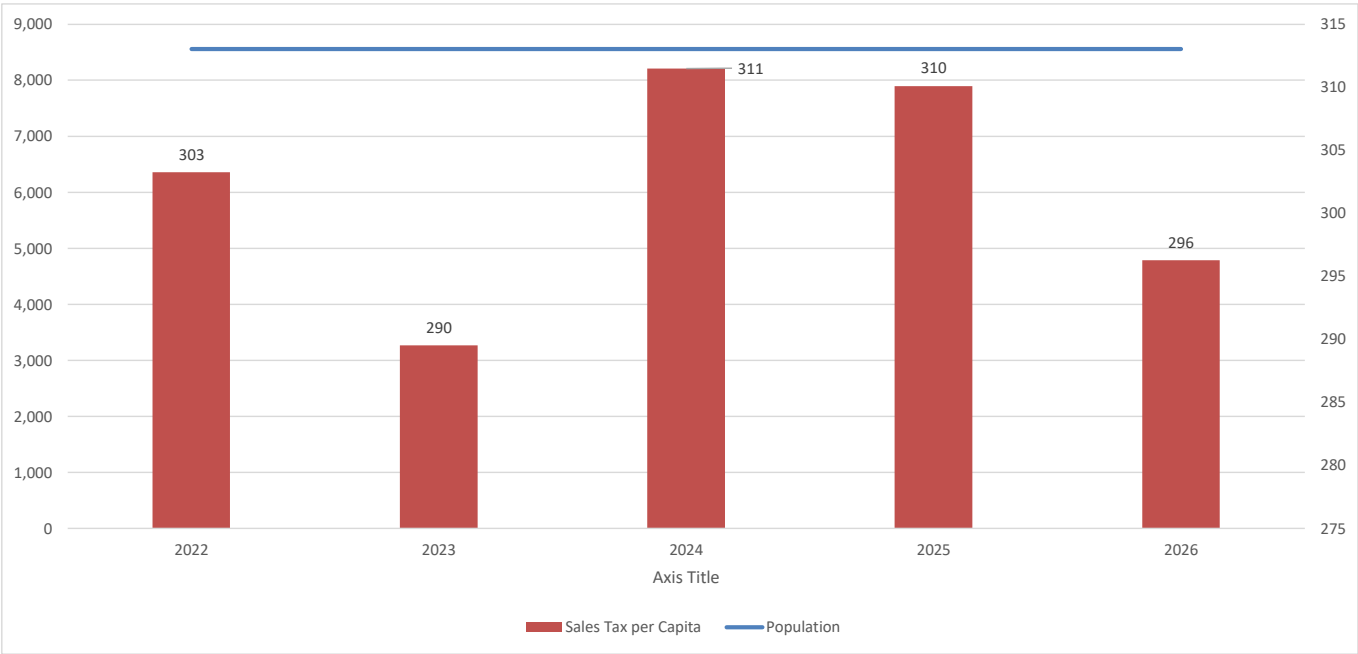
Sales Tax History Comparison - FY 2021 - FY 2026



Annual Sales Tax - One Percent General Fund



Sales Tax per Capita and Population Trend



2026 Sales Tax - One Percent General Fund
Compensating Use Sales Tax and Sales Tax



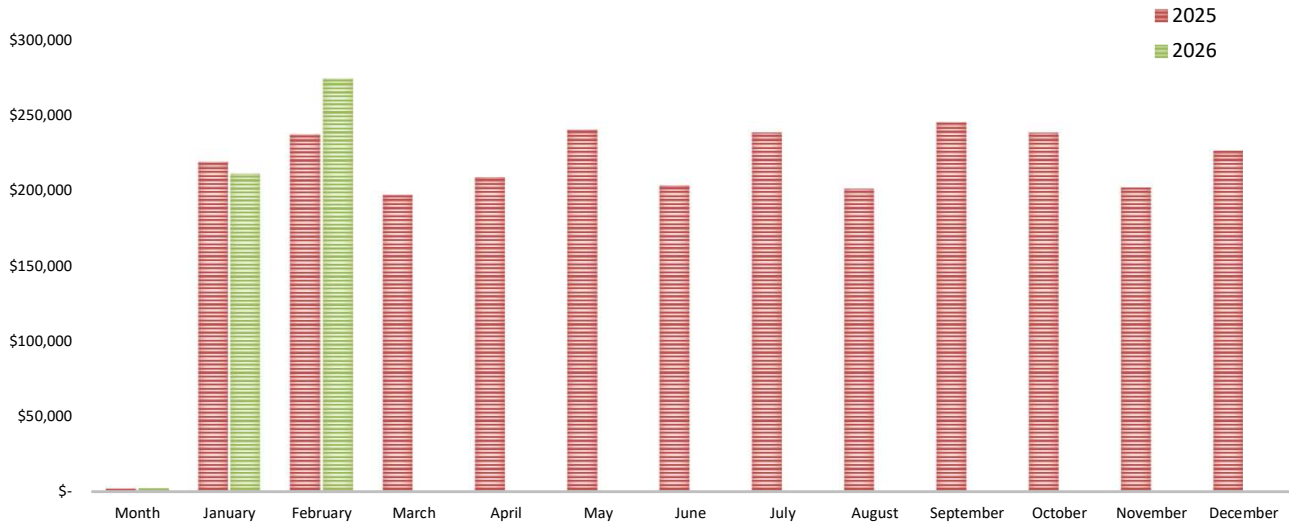


City of Independence 2026 Sales Tax - 1%

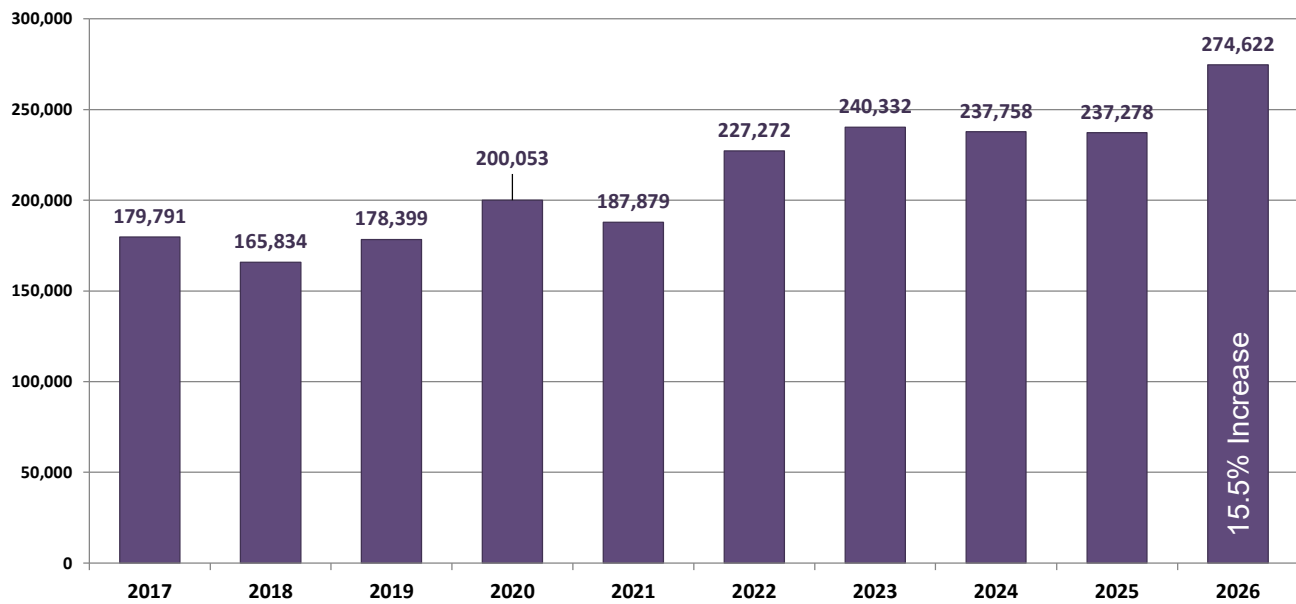
Comparison and History January - February 2026

	Fiscal Year	Fiscal Year	Fiscal Year	Fiscal Year		Fiscal Year	% Change	% Change
Month	2021	2022	2023	2024	2025	2026	FY 25-26	YTD
January	163,252	185,340	192,816	224,785	218,866	211,368	-3.4%	-3.4%
February	187,879	227,272	240,332	237,758	237,278	274,622	15.7%	6.5%
March	178,907	184,767	193,222	208,111	196,911			-25.6%
April	167,798	195,697	191,365	231,871	208,654			-43.6%
May	205,282	233,465	212,641	224,944	240,082			-55.9%
June	206,304	224,267	206,139	218,239	203,052			-62.8%
July	181,396	200,760	220,603	240,065	238,171			-68.5%
August	196,182	208,086	212,711	238,478	200,895			-72.1%
September	196,679	278,674	192,686	202,364	245,035			-75.6%
October	179,011	163,298	225,542	239,697	237,961			-78.2%
November	169,058	198,402	205,710	199,002	201,785			-80.0%
December	211,556	207,198	184,773	201,264	226,044			-81.7%
Total:	\$ 2,243,303	\$ 2,507,226	\$ 2,478,539	\$ 2,666,578	\$ 2,654,733	\$ 485,991		
% change	5.0%	11.8%	-1.1%	7.6%	-0.4%	-81.8%		
*Oct CPI % Change	6.2%	7.7%	3.2%	2.6%	2.7%			
Annualized	\$ 2,243,303	\$ 2,507,226	\$ 2,478,539	\$ 2,666,578	\$ 2,654,733	\$ 2,915,945	\$ 261,212	
Budget	\$ 1,935,000	\$ 2,050,000	\$ 2,250,000	\$ 2,400,000	\$ 2,500,000	\$ 2,500,000	\$ -	
	\$ 308,303	\$ 457,226	\$ 228,539	\$ 266,578	\$ 154,733	\$ 415,945		
% Over/ (Under) PY Actual		11.8%	-1.1%	7.6%	-0.4%	9.8%		
YTD % of Budget Collected		122.3%	110.2%	111.1%	106.2%	19.4%		
% Over Budget		22.3%	10.2%	11.1%	6.2%	16.6%		

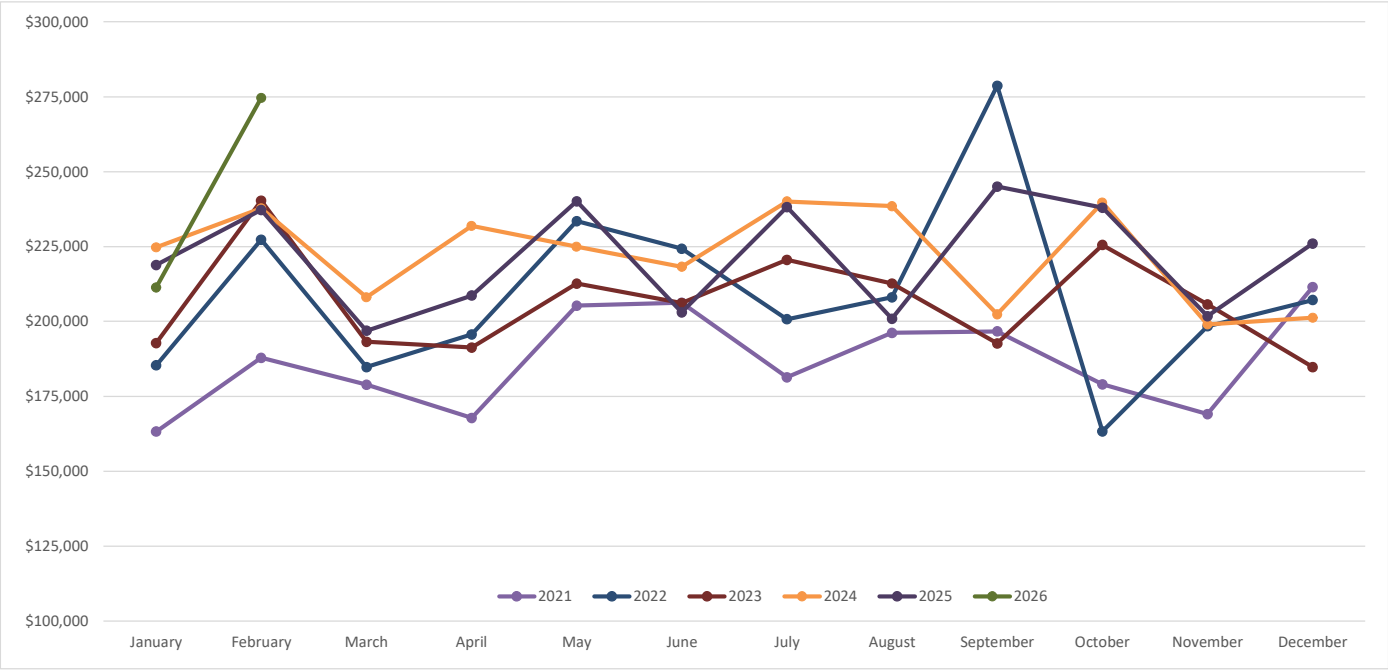
Sales Tax FY 2025 - FY 2026 Comparison



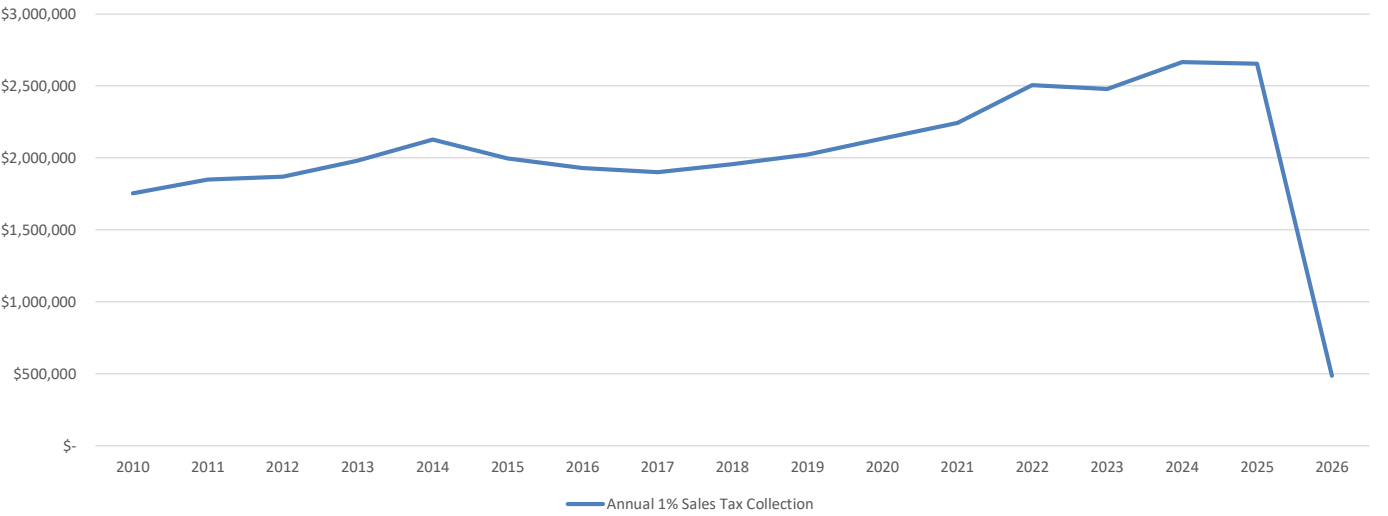
Febuary 1% Sales Tax 10 Year History FY 2017 - FY 2026



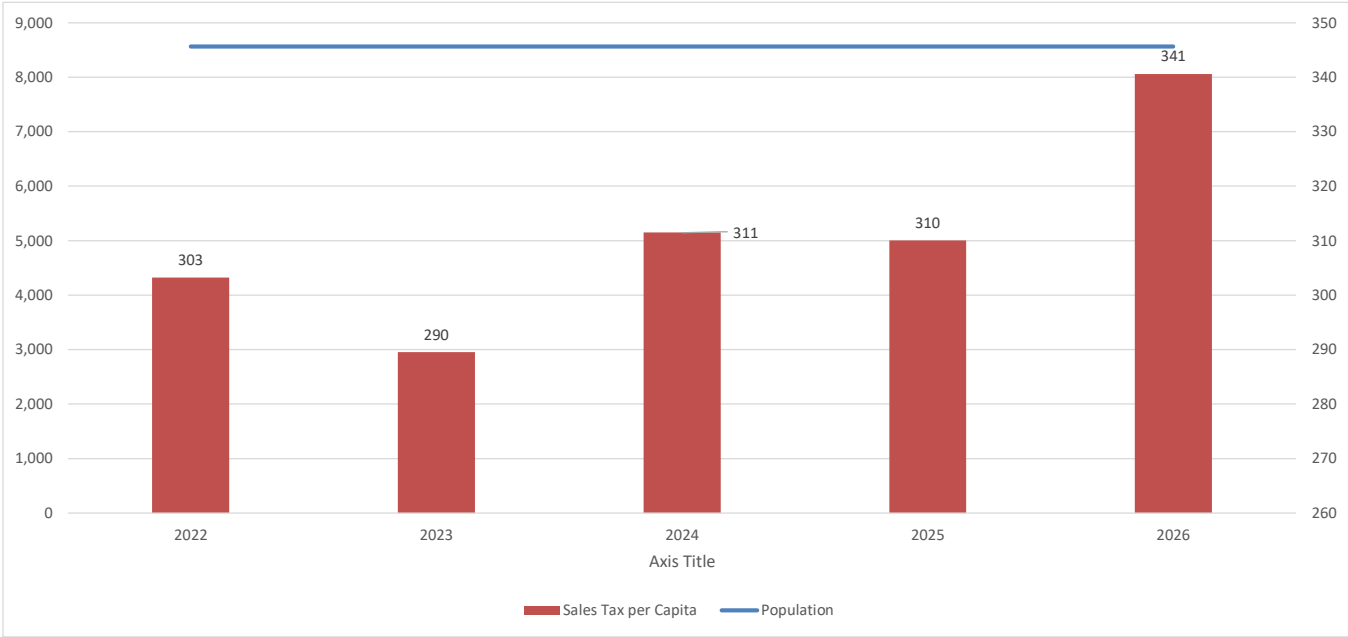
Sales Tax History Comparison - FY 2021 - FY 2026



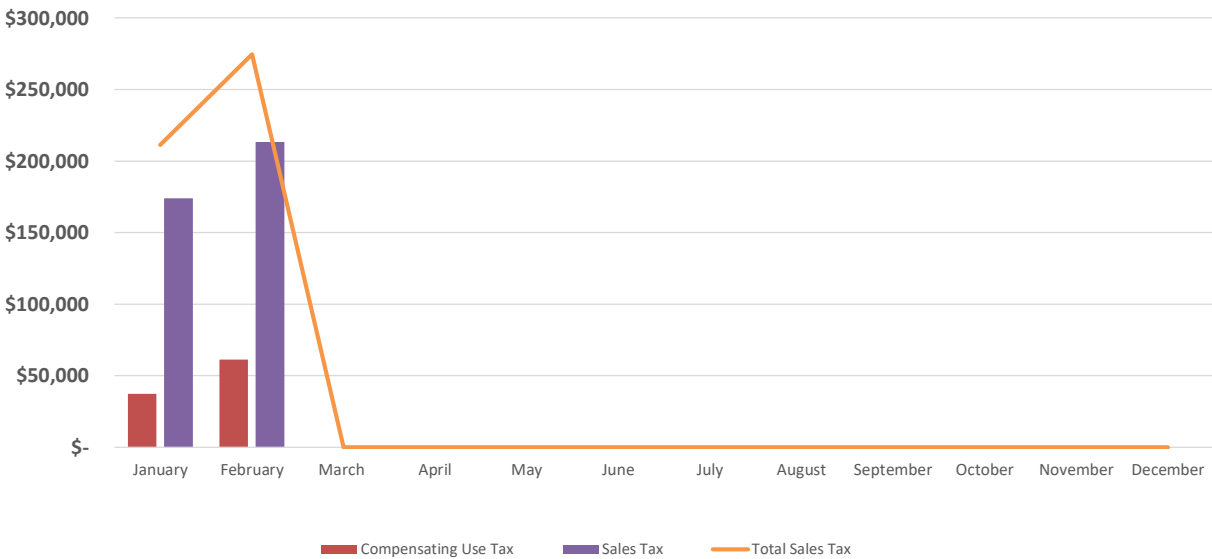
Annual Sales Tax - One Percent General Fund



Sales Tax per Capita and Population Trend



2026 Sales Tax - One Percent General Fund Compensating Use Sales Tax and Sales Tax



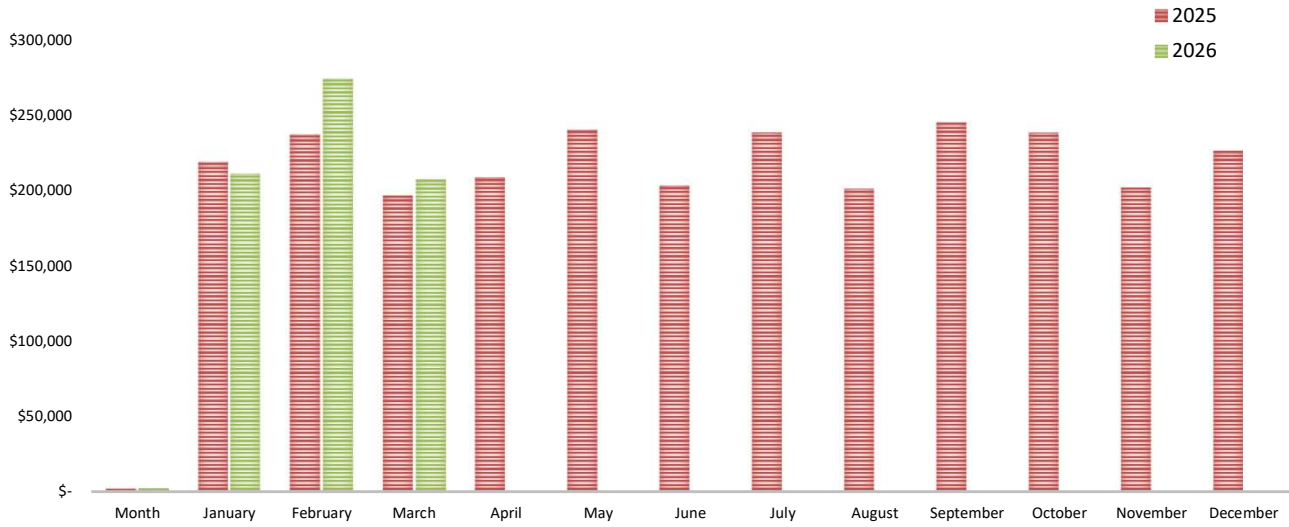


City of Independence 2026 Sales Tax - 1%

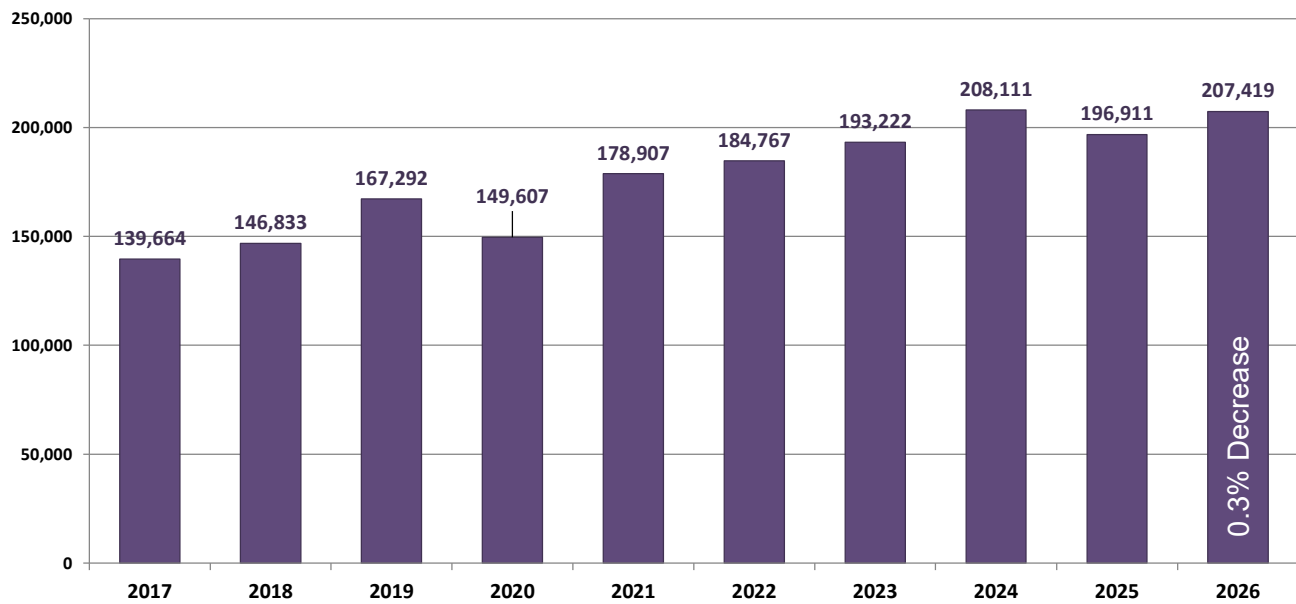
Comparison and History January - March 2026

	Fiscal Year	Fiscal Year	Fiscal Year	Fiscal Year		Fiscal Year	% Change	% Change
Month	2021	2022	2023	2024	2025	2026	FY 25-26	YTD
January	163,252	185,340	192,816	224,785	218,866	211,368	-3.4%	-3.4%
February	187,879	227,272	240,332	237,758	237,278	274,622	15.7%	6.5%
March	178,907	184,767	193,222	208,111	196,911	207,419	5.3%	6.2%
April	167,798	195,697	191,365	231,871	208,654			-19.5%
May	205,282	233,465	212,641	224,944	240,082			-37.1%
June	206,304	224,267	206,139	218,239	203,052			-46.9%
July	181,396	200,760	220,603	240,065	238,171			-55.1%
August	196,182	208,086	212,711	238,478	200,895			-60.2%
September	196,679	278,674	192,686	202,364	245,035			-65.1%
October	179,011	163,298	225,542	239,697	237,961			-68.9%
November	169,058	198,402	205,710	199,002	201,785			-71.4%
December	211,556	207,198	184,773	201,264	226,044			-73.9%
Total:	\$ 2,243,303	\$ 2,507,226	\$ 2,478,539	\$ 2,666,578	\$ 2,654,733	\$ 693,410		
% change	5.0%	11.8%	-1.1%	7.6%	-0.4%	-74.0%		
*Oct CPI % Change	6.2%	7.7%	3.2%	2.6%	2.7%			
Annualized	\$ 2,243,303	\$ 2,507,226	\$ 2,478,539	\$ 2,666,578	\$ 2,654,733	\$ 2,773,640	\$ 118,907	
Budget	\$ 1,935,000	\$ 2,050,000	\$ 2,250,000	\$ 2,400,000	\$ 2,500,000	\$ 2,500,000	\$ -	
	\$ 308,303	\$ 457,226	\$ 228,539	\$ 266,578	\$ 154,733	\$ 273,640		
% Over/ (Under) PY Actual		11.8%	-1.1%	7.6%	-0.4%	4.5%		
YTD % of Budget Collected		122.3%	110.2%	111.1%	106.2%	27.7%		
% Over Budget		22.3%	10.2%	11.1%	6.2%	10.9%		

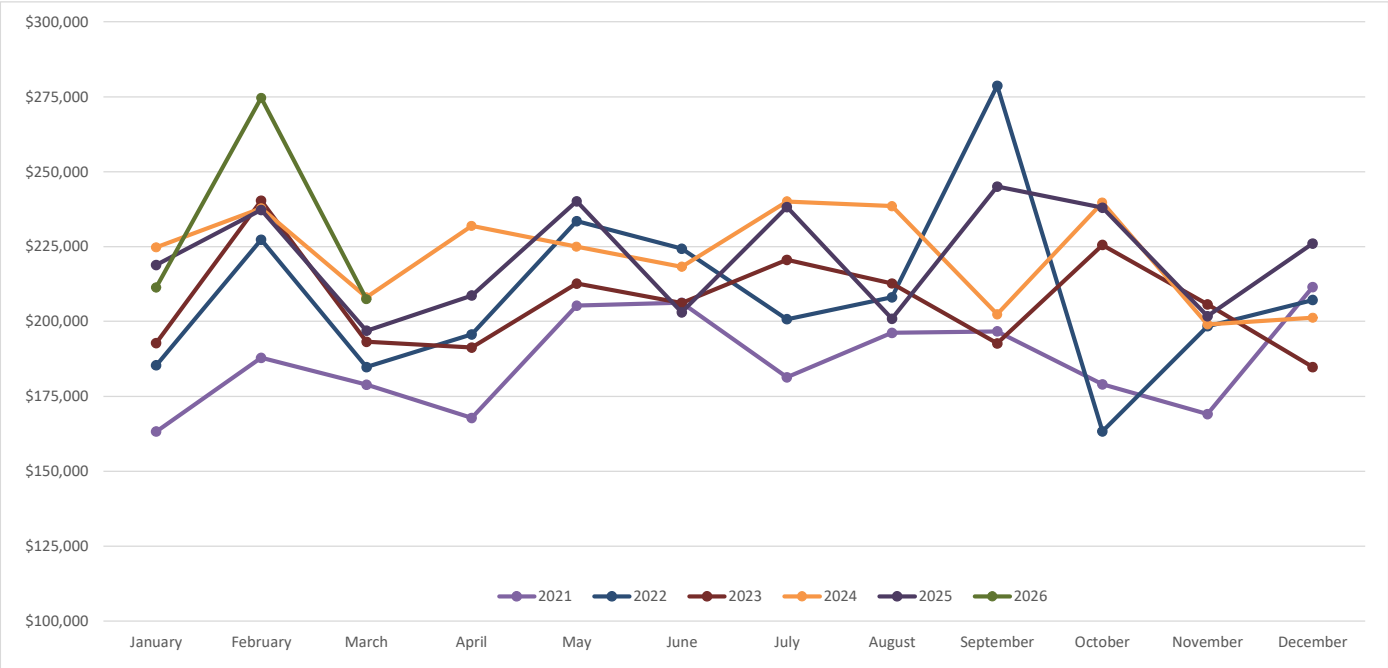
Sales Tax FY 2025 - FY 2026 Comparison



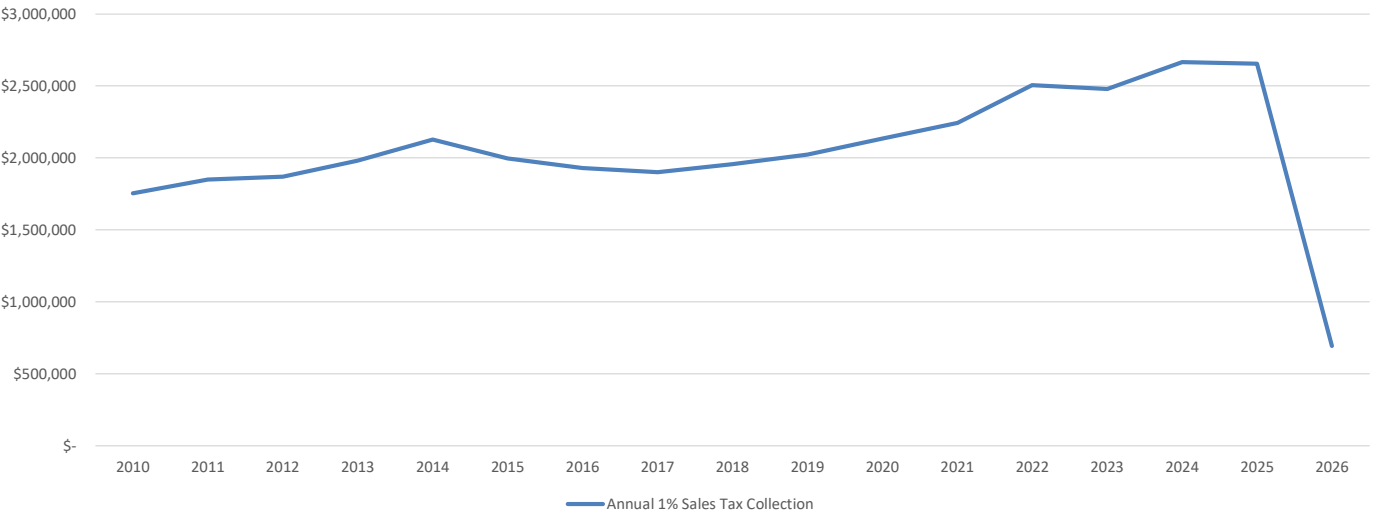
March 1% Sales Tax 10 Year History FY 2017 - FY 2026



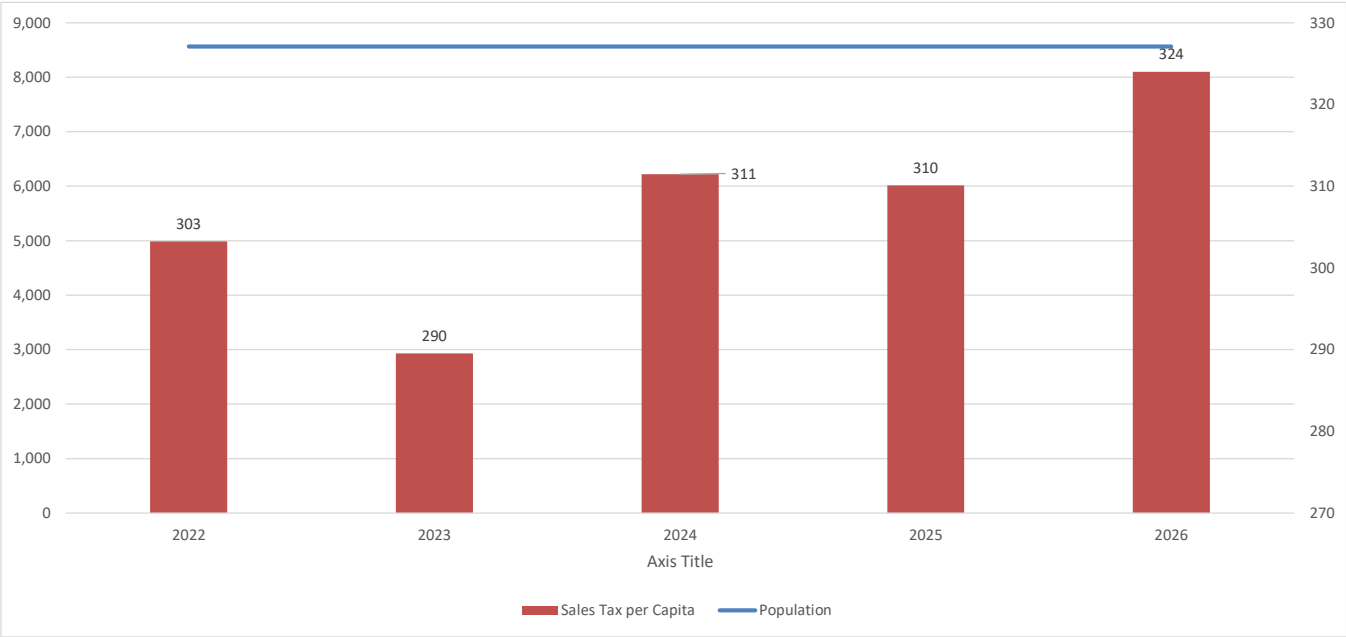
Sales Tax History Comparison - FY 2021 - FY 2026



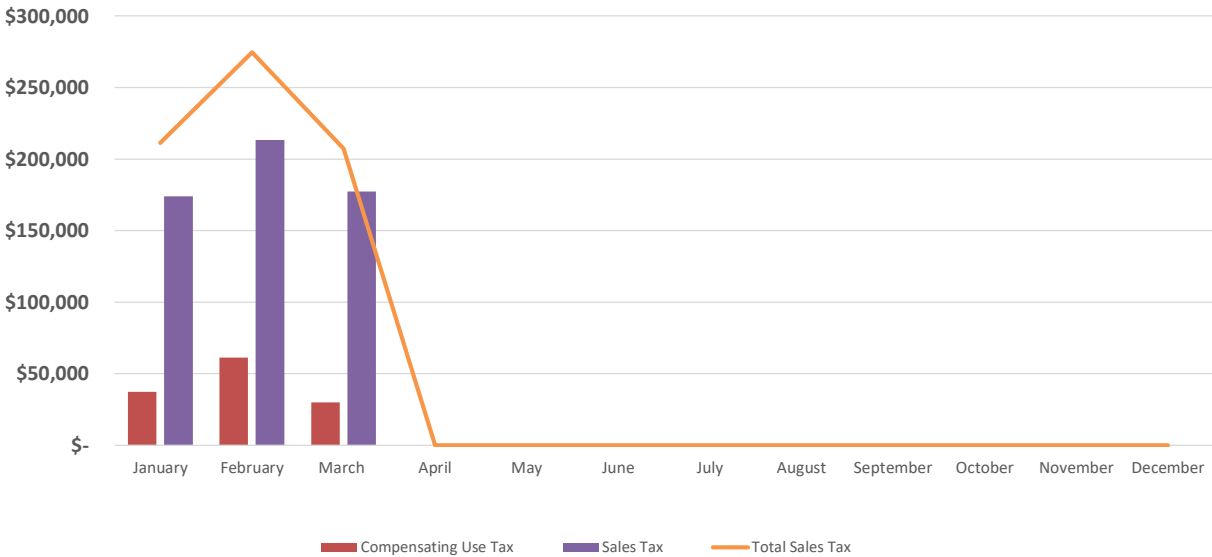
Annual Sales Tax - One Percent General Fund



Sales Tax per Capita and Population Trend



2026 Sales Tax - One Percent General Fund
Compensating Use Sales Tax and Sales Tax





City of Independence 2026 Sales Tax - 1%

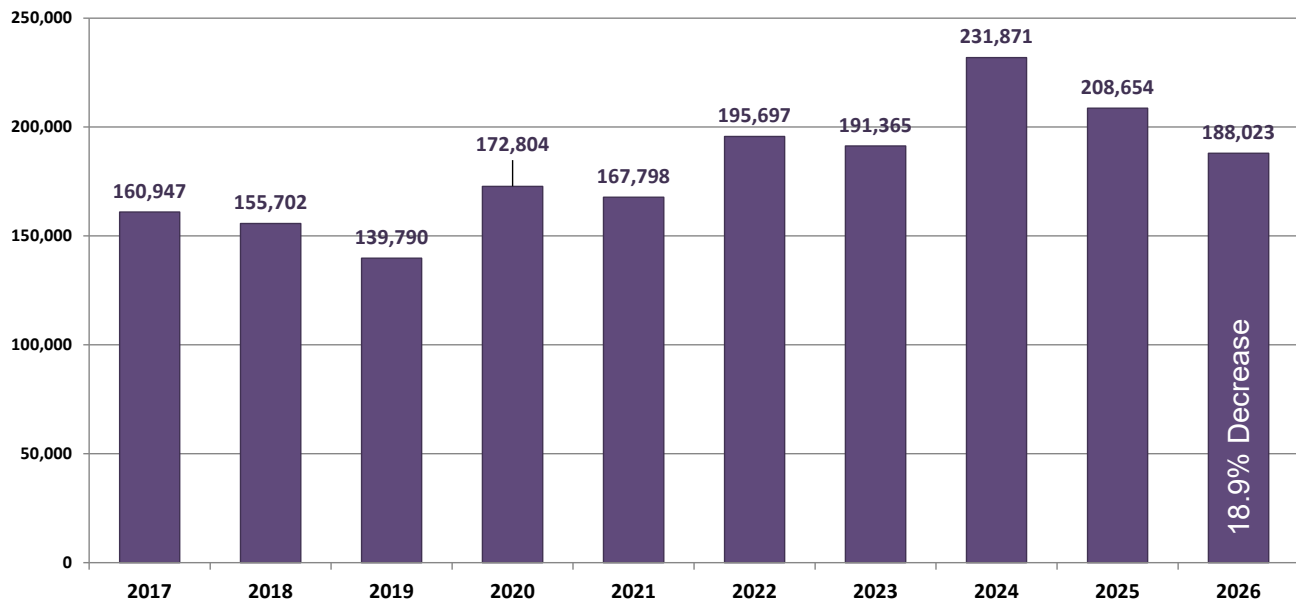
Comparison and History January - April 2026

	Fiscal Year	Fiscal Year	Fiscal Year	Fiscal Year		Fiscal Year	% Change	% Change
Month	2021	2022	2023	2024	2025	2026	FY 25-26	YTD
January	163,252	185,340	192,816	224,785	218,866	211,368	-3.4%	-3.4%
February	187,879	227,272	240,332	237,758	237,278	274,622	15.7%	6.5%
March	178,907	184,767	193,222	208,111	196,911	207,419	5.3%	6.2%
April	167,798	195,697	191,365	231,871	208,654	188,023	-9.9%	2.3%
May	205,282	233,465	212,641	224,944	240,082			-20.0%
June	206,304	224,267	206,139	218,239	203,052			-32.4%
July	181,396	200,760	220,603	240,065	238,171			-42.9%
August	196,182	208,086	212,711	238,478	200,895			-49.5%
September	196,679	278,674	192,686	202,364	245,035			-55.7%
October	179,011	163,298	225,542	239,697	237,961			-60.4%
November	169,058	198,402	205,710	199,002	201,785			-63.7%
December	211,556	207,198	184,773	201,264	226,044			-66.8%
Total:	\$ 2,243,303	\$ 2,507,226	\$ 2,478,539	\$ 2,666,578	\$ 2,654,733	\$ 881,433		
<i>% change</i>	<i>5.0%</i>	<i>11.8%</i>	<i>-1.1%</i>	<i>7.6%</i>	<i>-0.4%</i>	<i>-66.9%</i>		
<i>*Oct CPI % Change</i>	<i>6.2%</i>	<i>7.7%</i>	<i>3.2%</i>	<i>2.6%</i>	<i>2.7%</i>			
Annualized	\$ 2,243,303	\$ 2,507,226	\$ 2,478,539	\$ 2,666,578	\$ 2,654,733	\$ 2,644,298	\$ (10,435)	
Budget	\$ 1,935,000	\$ 2,050,000	\$ 2,250,000	\$ 2,400,000	\$ 2,500,000	\$ 2,500,000	\$ -	
	\$ 308,303	\$ 457,226	\$ 228,539	\$ 266,578	\$ 154,733	\$ 144,298		
% Over/ (Under) PY Actual		11.8%	-1.1%	7.6%	-0.4%	-0.4%		
YTD % of Budget Collected		122.3%	110.2%	111.1%	106.2%	35.3%		
% Over Budget		22.3%	10.2%	11.1%	6.2%	5.8%		

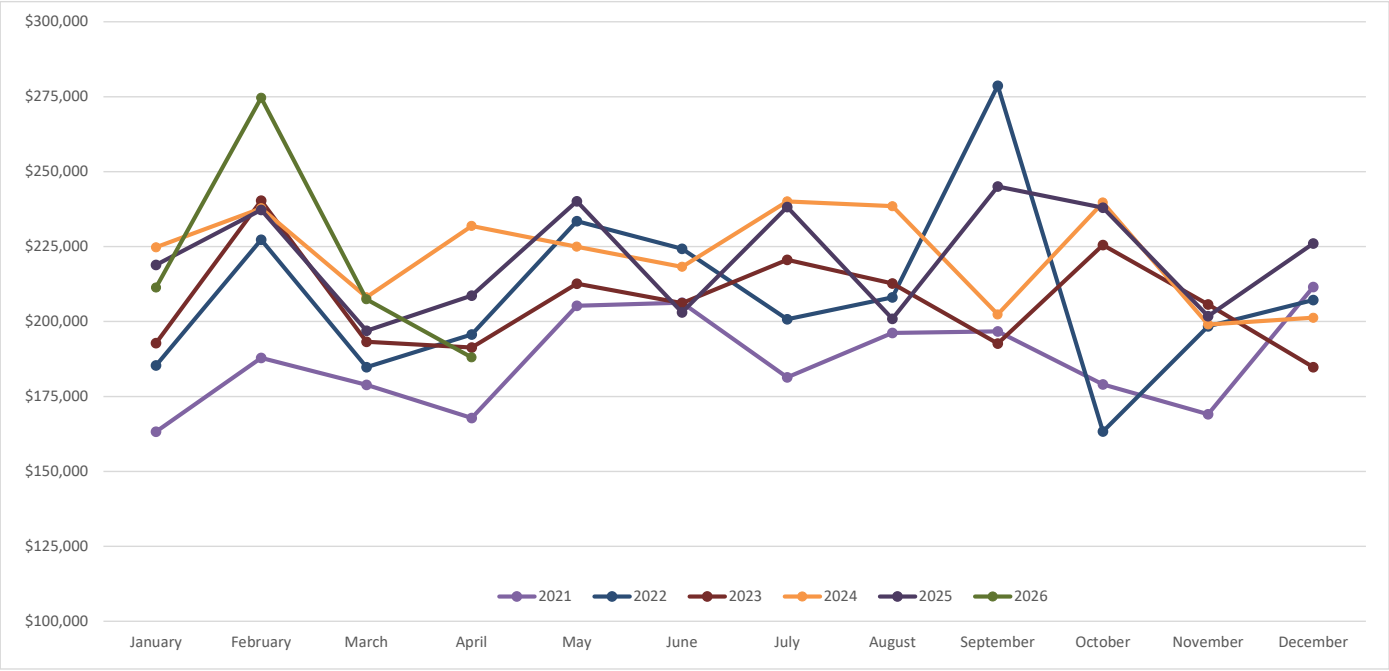
Sales Tax FY 2025 - FY 2026 Comparison



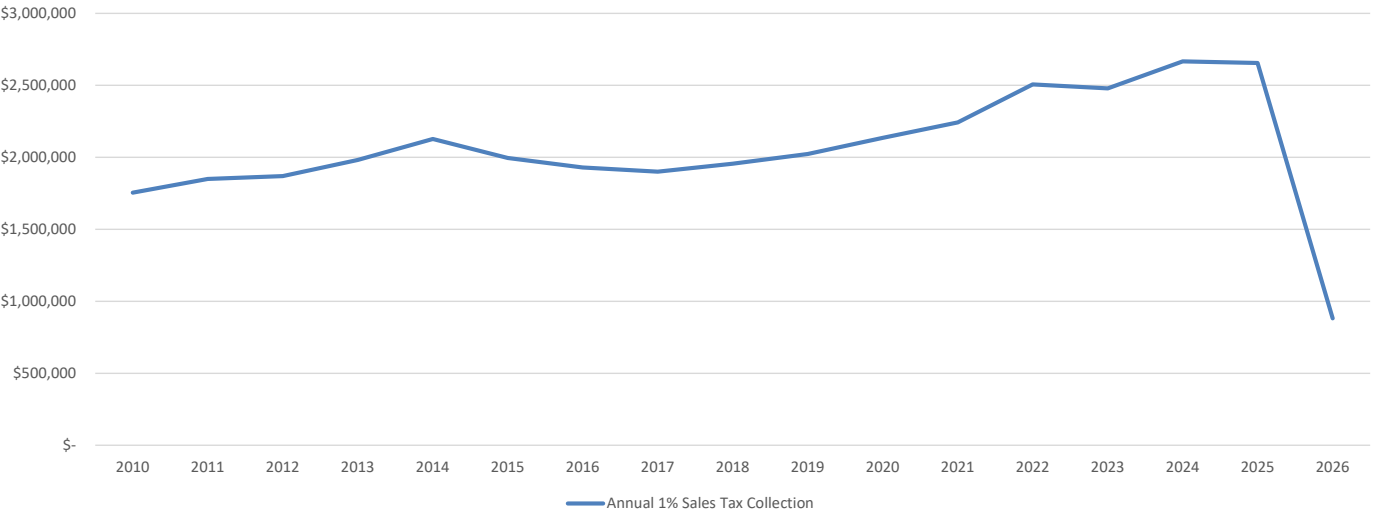
April 1% Sales Tax 10 Year History FY 2017 - FY 2026



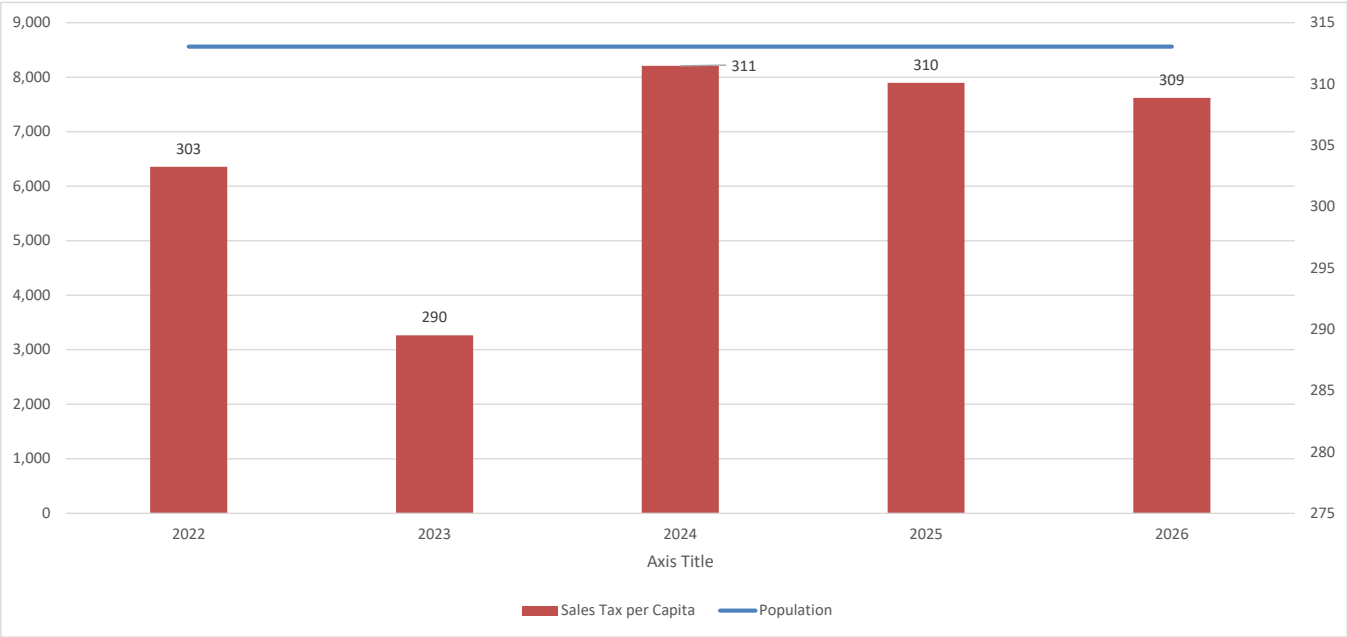
Sales Tax History Comparison - FY 2021 - FY 2026



Annual Sales Tax - One Percent General Fund



Sales Tax per Capita and Population Trend



2026 Sales Tax - One Percent General Fund
Compensating Use Sales Tax and Sales Tax





City of Independence 2026 Sales Tax - 1%

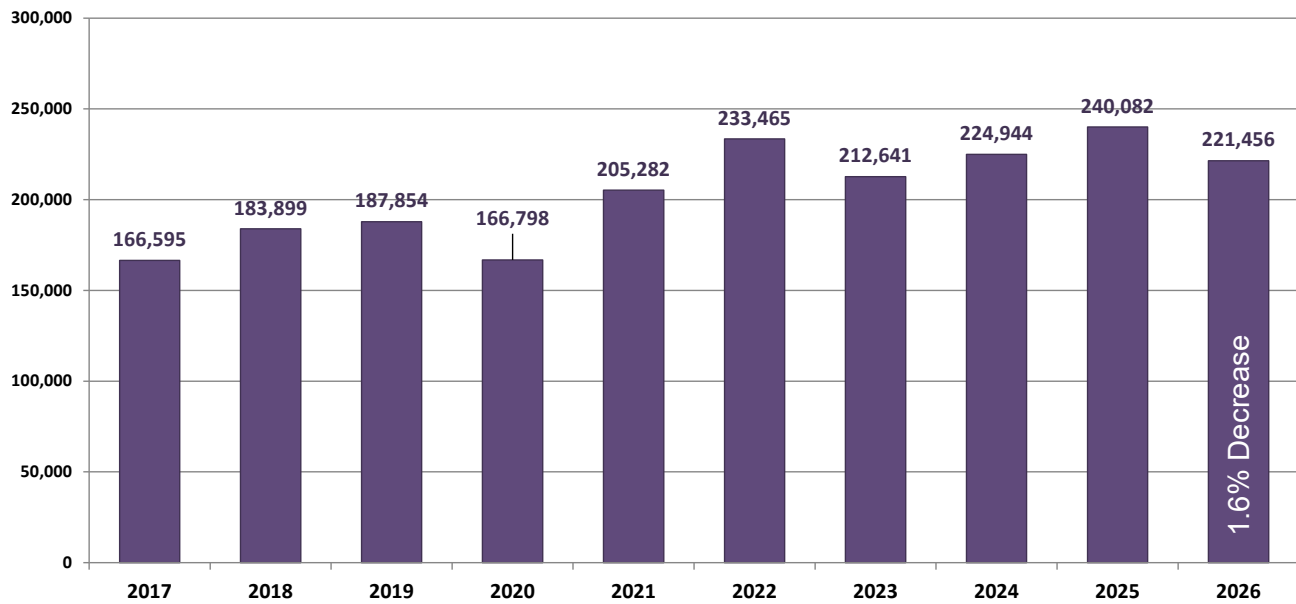
Comparison and History January - May 2026

	Fiscal Year	Fiscal Year	Fiscal Year	Fiscal Year		Fiscal Year	% Change	% Change
Month	2021	2022	2023	2024	2025	2026	FY 25-26	YTD
January	163,252	185,340	192,816	224,785	218,866	211,368	-3.4%	-3.4%
February	187,879	227,272	240,332	237,758	237,278	274,622	15.7%	6.5%
March	178,907	184,767	193,222	208,111	196,911	207,419	5.3%	6.2%
April	167,798	195,697	191,365	231,871	208,654	188,023	-9.9%	2.3%
May	205,282	233,465	212,641	224,944	240,082	221,456	-7.8%	0.1%
June	206,304	224,267	206,139	218,239	203,052			-15.5%
July	181,396	200,760	220,603	240,065	238,171			-28.5%
August	196,182	208,086	212,711	238,478	200,895			-36.8%
September	196,679	278,674	192,686	202,364	245,035			-44.5%
October	179,011	163,298	225,542	239,697	237,961			-50.5%
November	169,058	198,402	205,710	199,002	201,785			-54.6%
December	211,556	207,198	184,773	201,264	226,044			-58.5%
Total:	\$ 2,243,303	\$ 2,507,226	\$ 2,478,539	\$ 2,666,578	\$ 2,654,733	\$ 1,102,889		
% change	5.0%	11.8%	-1.1%	7.6%	-0.4%	-58.6%		
*Oct CPI % Change	6.2%	7.7%	3.2%	2.6%	2.7%			
Annualized	\$ 2,243,303	\$ 2,507,226	\$ 2,478,539	\$ 2,666,578	\$ 2,654,733	\$ 2,646,933	\$ (7,800)	
Budget	\$ 1,935,000	\$ 2,050,000	\$ 2,250,000	\$ 2,400,000	\$ 2,500,000	\$ 2,500,000	\$ -	
	\$ 308,303	\$ 457,226	\$ 228,539	\$ 266,578	\$ 154,733	\$ 146,933		
% Over/ (Under) PY Actual		11.8%	-1.1%	7.6%	-0.4%	-0.3%		
YTD % of Budget Collected		122.3%	110.2%	111.1%	106.2%	44.1%		
% Over Budget		22.3%	10.2%	11.1%	6.2%	5.9%		

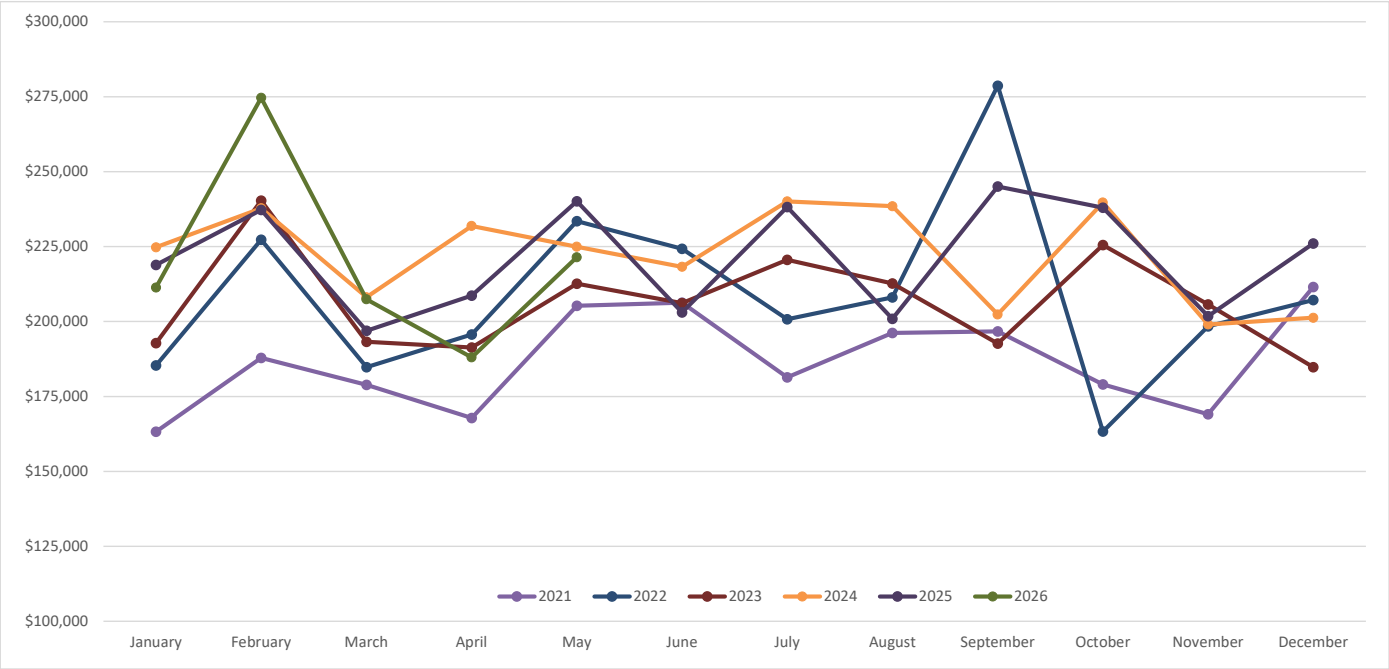
Sales Tax FY 2025 - FY 2026 Comparison



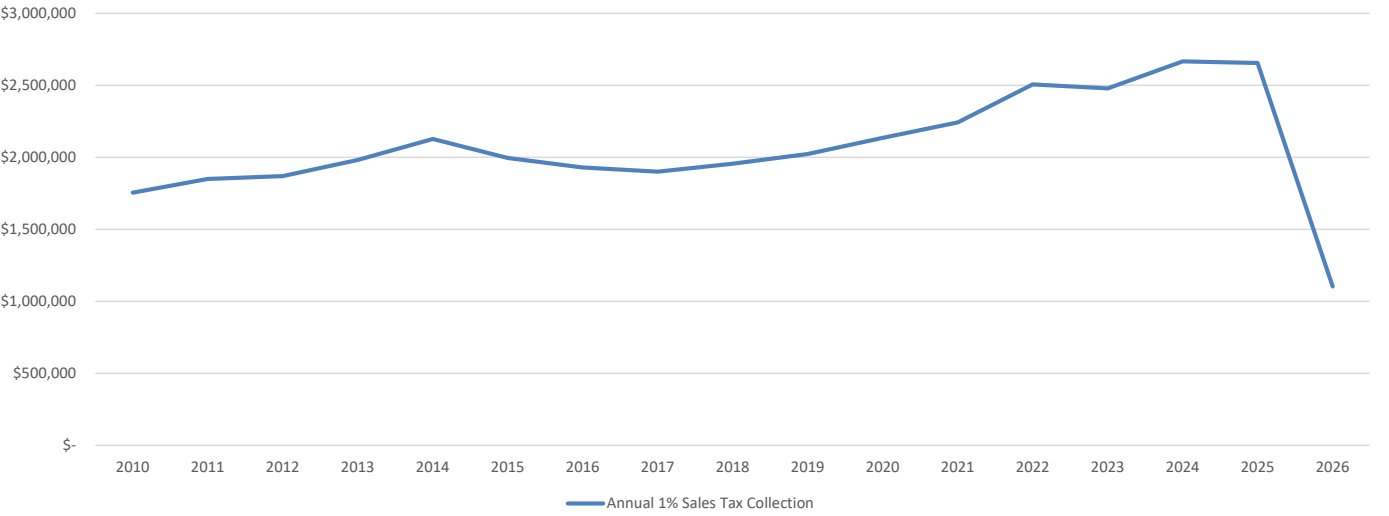
May 1% Sales Tax 10 Year History FY 2017 - FY 2026



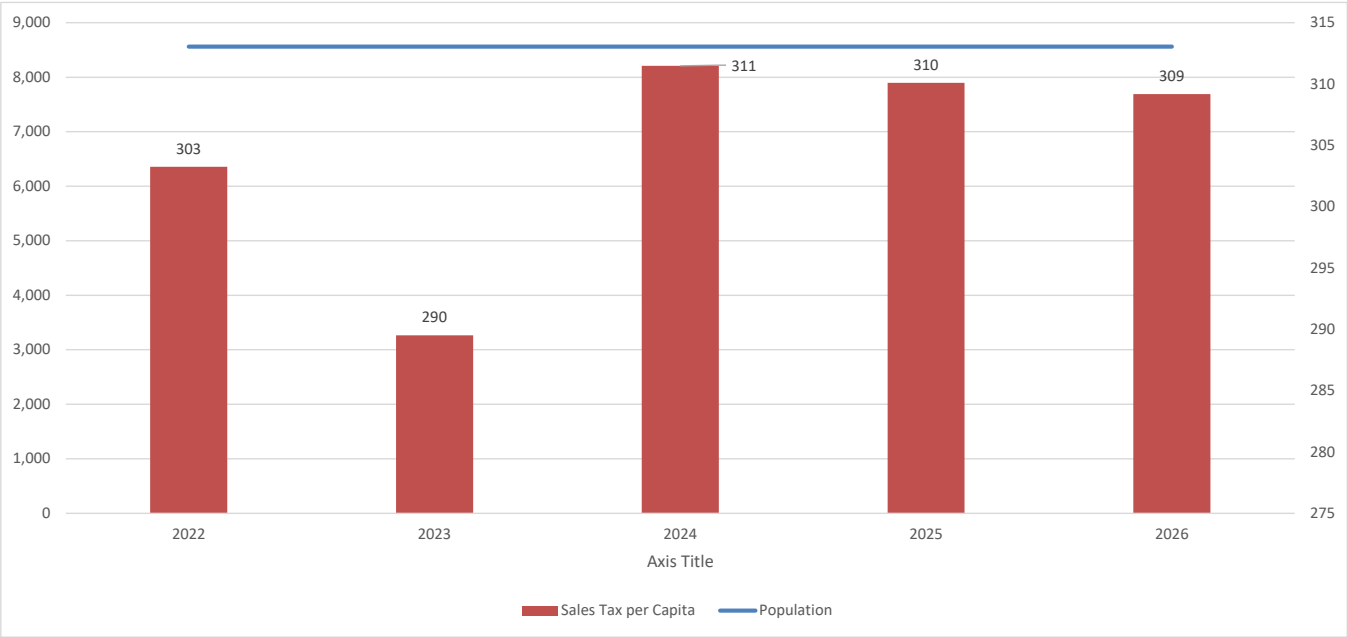
Sales Tax History Comparison - FY 2021 - FY 2026



Annual Sales Tax - One Percent General Fund



Sales Tax per Capita and Population Trend



2026 Sales Tax - One Percent General Fund
Compensating Use Sales Tax and Sales Tax



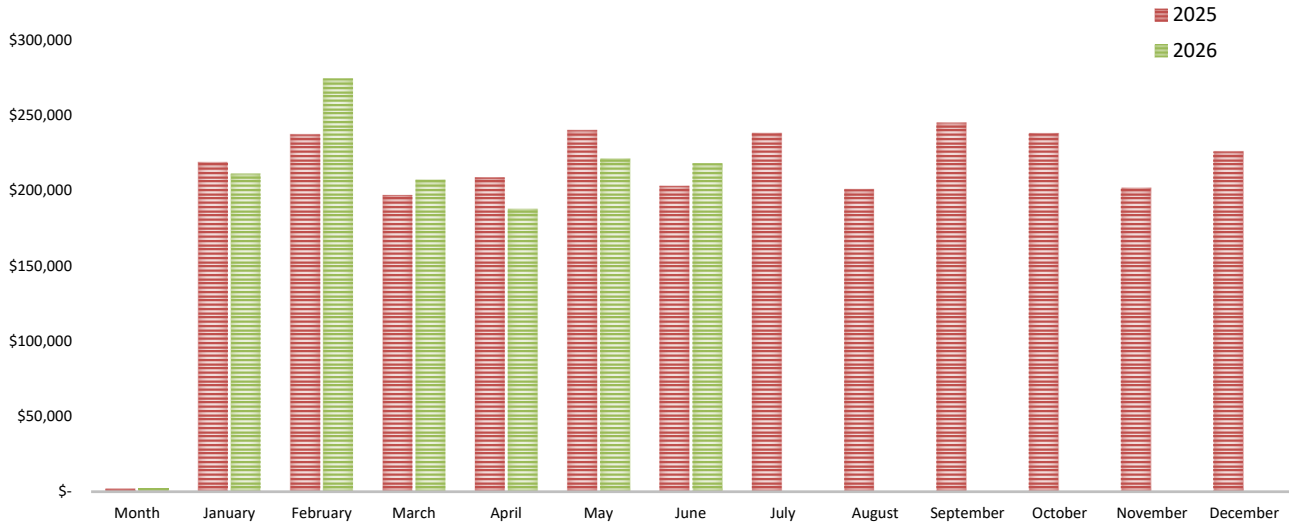


City of Independence 2026 Sales Tax - 1%

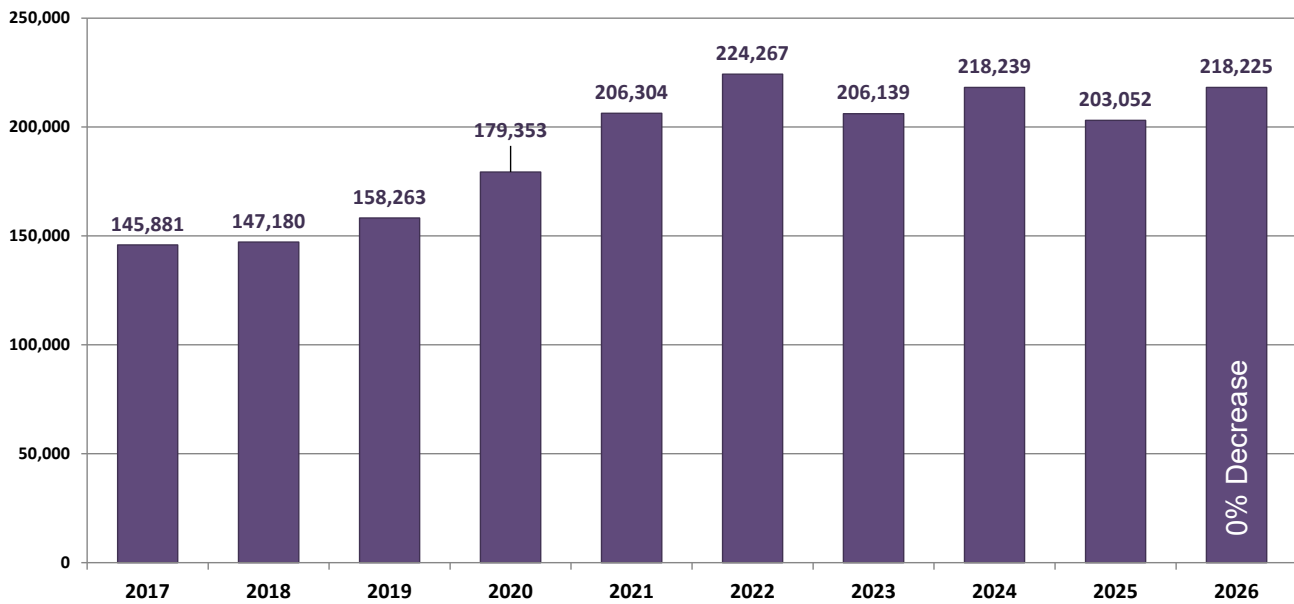
Comparison and History January - June 2026

	Fiscal Year	Fiscal Year	Fiscal Year	Fiscal Year		Fiscal Year	% Change	% Change
Month	2021	2022	2023	2024	2025	2026	FY 25-26	YTD
January	163,252	185,340	192,816	224,785	218,866	211,368	-3.4%	-3.4%
February	187,879	227,272	240,332	237,758	237,278	274,622	15.7%	6.5%
March	178,907	184,767	193,222	208,111	196,911	207,419	5.3%	6.2%
April	167,798	195,697	191,365	231,871	208,654	188,023	-9.9%	2.3%
May	205,282	233,465	212,641	224,944	240,082	221,456	-7.8%	0.1%
June	206,304	224,267	206,139	218,239	203,052	218,225	7.5%	1.2%
July	181,396	200,760	220,603	240,065	238,171			-14.4%
August	196,182	208,086	212,711	238,478	200,895			-24.2%
September	196,679	278,674	192,686	202,364	245,035			-33.6%
October	179,011	163,298	225,542	239,697	237,961			-40.7%
November	169,058	198,402	205,710	199,002	201,785			-45.6%
December	211,556	207,198	184,773	201,264	226,044			-50.2%
Total:	\$ 2,243,303	\$ 2,507,226	\$ 2,478,539	\$ 2,666,578	\$ 2,654,733	\$ 1,321,114		
% change	5.0%	11.8%	-1.1%	7.6%	-0.4%	-50.5%		
*Oct CPI % Change	6.2%	7.7%	3.2%	2.6%	2.7%			
Annualized	\$ 2,243,303	\$ 2,507,226	\$ 2,478,539	\$ 2,666,578	\$ 2,654,733	\$ 2,642,228	\$ (12,505)	
Budget	\$ 1,935,000	\$ 2,050,000	\$ 2,250,000	\$ 2,400,000	\$ 2,500,000	\$ 2,500,000	\$ -	
	\$ 308,303	\$ 457,226	\$ 228,539	\$ 266,578	\$ 154,733	\$ 142,228		
% Over/ (Under) PY Actual		11.8%	-1.1%	7.6%	-0.4%	-0.5%		
YTD % of Budget Collected		122.3%	110.2%	111.1%	106.2%	52.8%		
% Over Budget		22.3%	10.2%	11.1%	6.2%	5.7%		

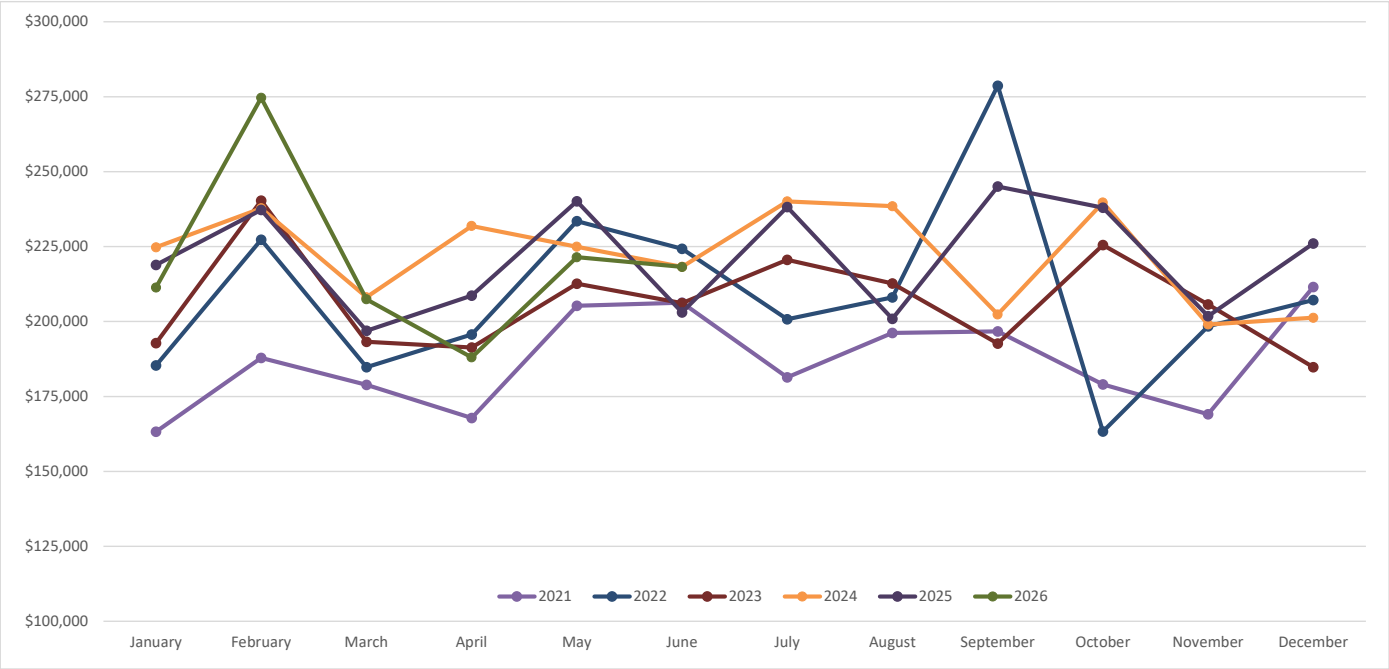
Sales Tax FY 2025 - FY 2026 Comparison



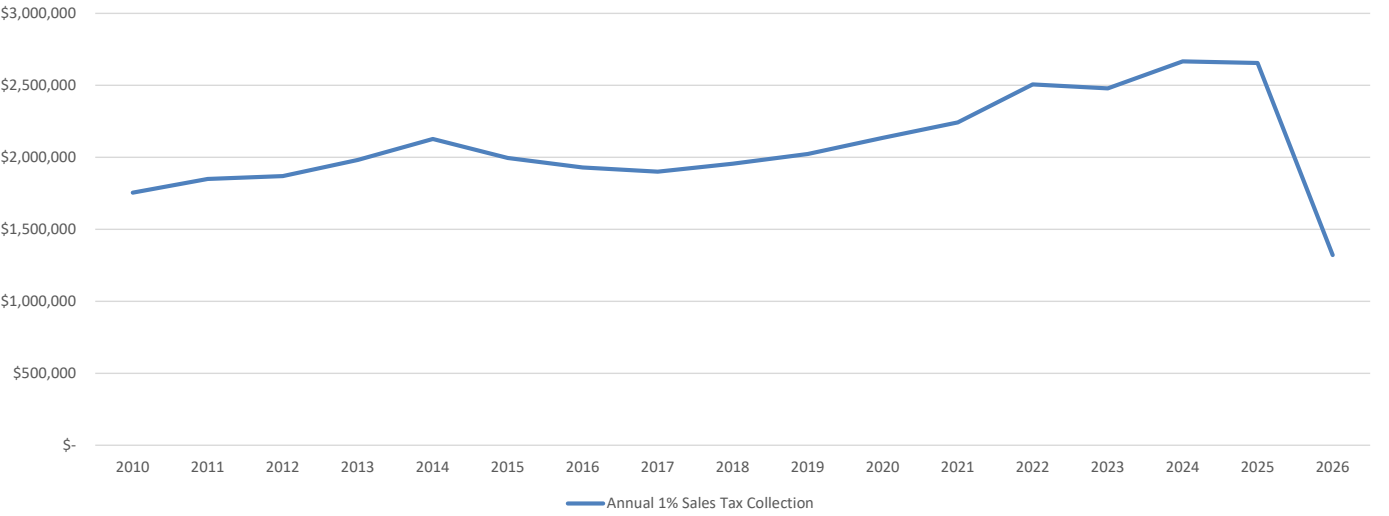
June 1% Sales Tax 10 Year History FY 2017 - FY 2026



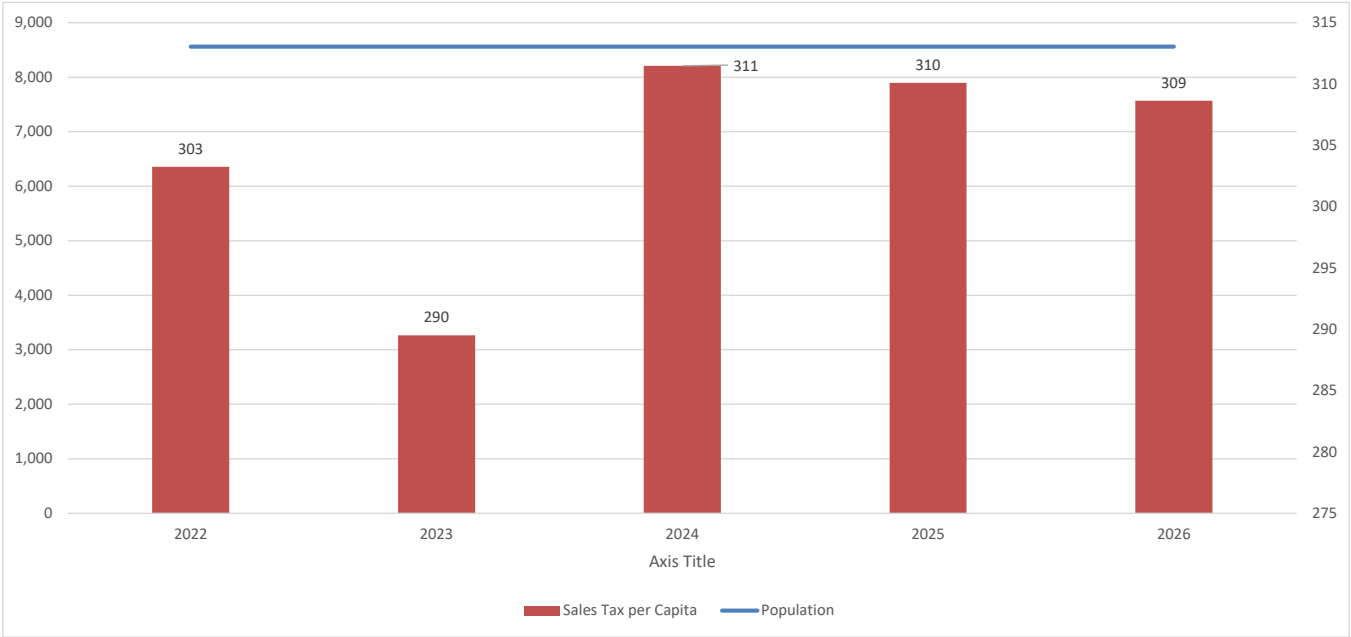
Sales Tax History Comparison - FY 2021 - FY 2026



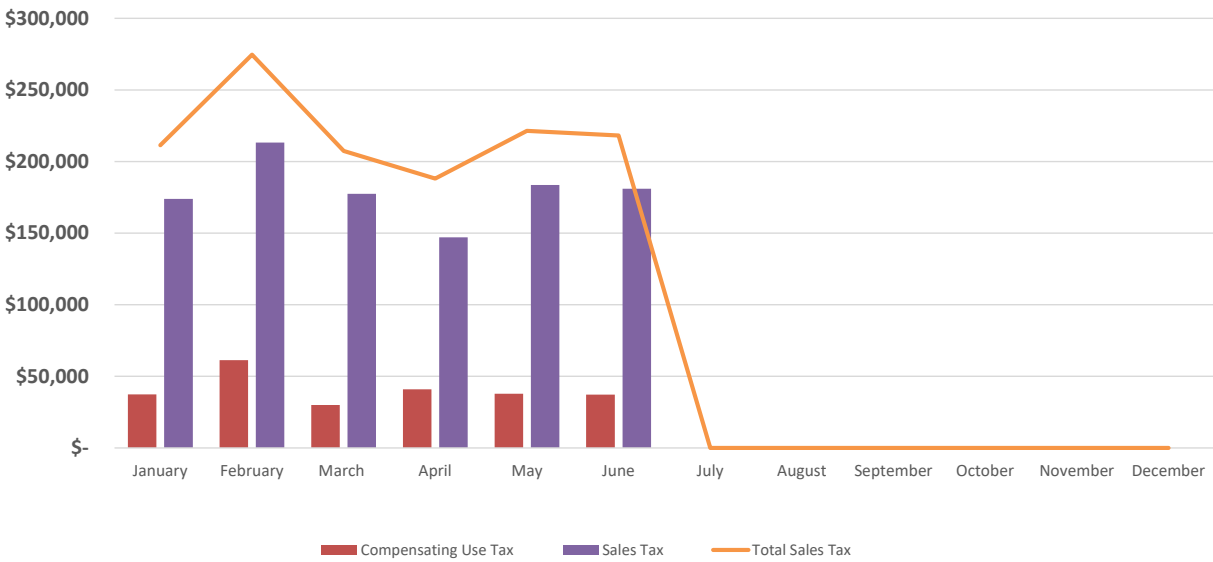
Annual Sales Tax - One Percent General Fund



Sales Tax per Capita and Population Trend



2026 Sales Tax - One Percent General Fund Compensating Use Sales Tax and Sales Tax





City of Independence 2026 Sales Tax - 1%

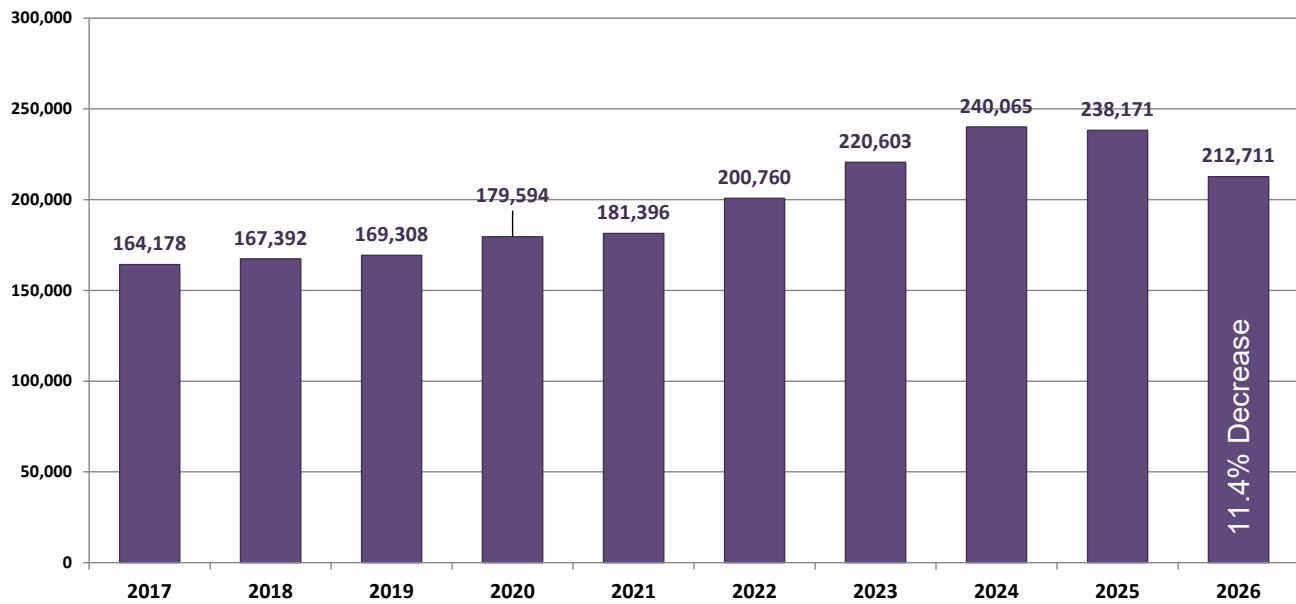
Comparison and History January - July 2026

	Fiscal Year	Fiscal Year	Fiscal Year	Fiscal Year		Fiscal Year	% Change	% Change
Month	2021	2022	2023	2024	2025	2026	FY 25-26	YTD
January	163,252	185,340	192,816	224,785	218,866	211,368	-3.4%	-3.4%
February	187,879	227,272	240,332	237,758	237,278	274,622	15.7%	6.5%
March	178,907	184,767	193,222	208,111	196,911	207,419	5.3%	6.2%
April	167,798	195,697	191,365	231,871	208,654	188,023	-9.9%	2.3%
May	205,282	233,465	212,641	224,944	240,082	221,456	-7.8%	0.1%
June	206,304	224,267	206,139	218,239	203,052	218,225	7.5%	1.2%
July	181,396	200,760	220,603	240,065	238,171	212,711	-10.7%	-0.6%
August	196,182	208,086	212,711	238,478	200,895			-12.0%
September	196,679	278,674	192,686	202,364	245,035			-22.9%
October	179,011	163,298	225,542	239,697	237,961			-31.1%
November	169,058	198,402	205,710	199,002	201,785			-36.8%
December	211,556	207,198	184,773	201,264	226,044			-42.2%
Total:	\$ 2,243,303	\$ 2,507,226	\$ 2,478,539	\$ 2,666,578	\$ 2,654,733	\$ 1,533,826		
% change	5.0%	11.8%	-1.1%	7.6%	-0.4%	-42.5%		
*Oct CPI % Change	6.2%	7.7%	3.2%	2.6%	2.7%			
Annualized	\$ 2,243,303	\$ 2,507,226	\$ 2,478,539	\$ 2,666,578	\$ 2,654,733	\$ 2,629,415	\$ (25,318)	
Budget	\$ 1,935,000	\$ 2,050,000	\$ 2,250,000	\$ 2,400,000	\$ 2,500,000	\$ 2,500,000	\$ -	
	\$ 308,303	\$ 457,226	\$ 228,539	\$ 266,578	\$ 154,733	\$ 129,415		
% Over/ (Under) PY Actual		11.8%	-1.1%	7.6%	-0.4%	-1.0%		
YTD % of Budget Collected		122.3%	110.2%	111.1%	106.2%	61.4%		
% Over Budget		22.3%	10.2%	11.1%	6.2%	5.2%		

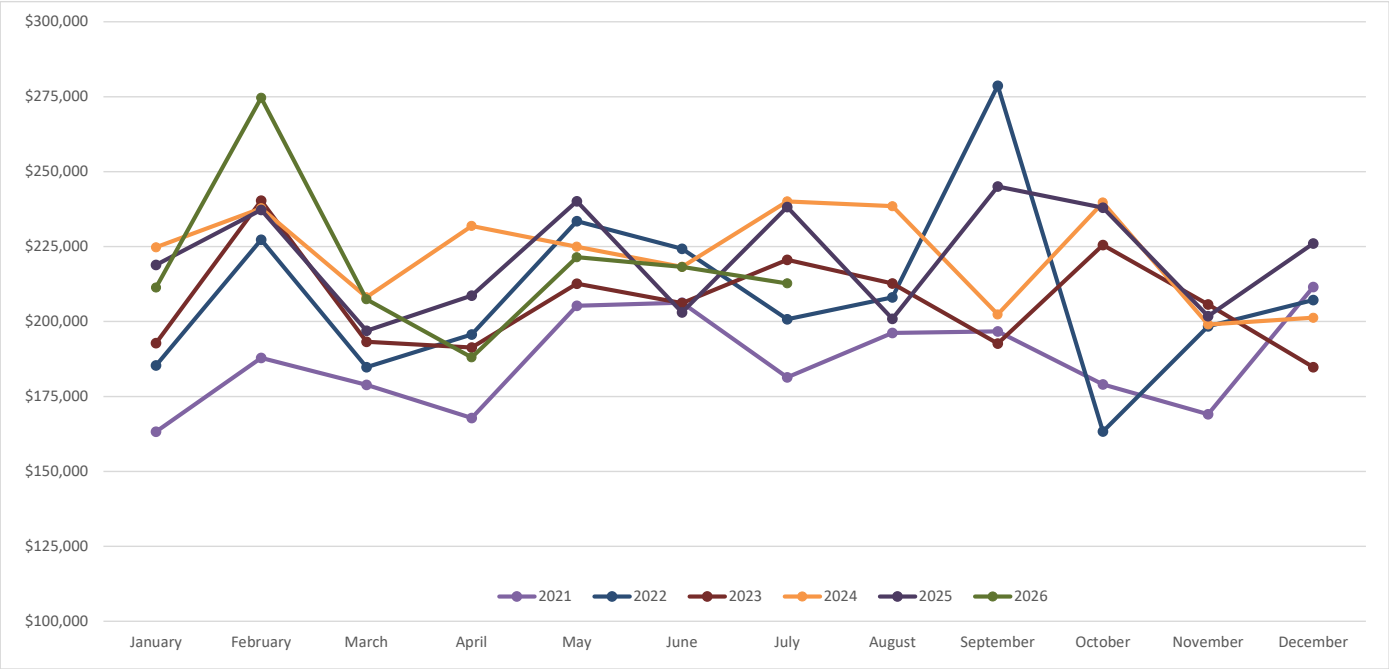
Sales Tax FY 2025 - FY 2026 Comparison



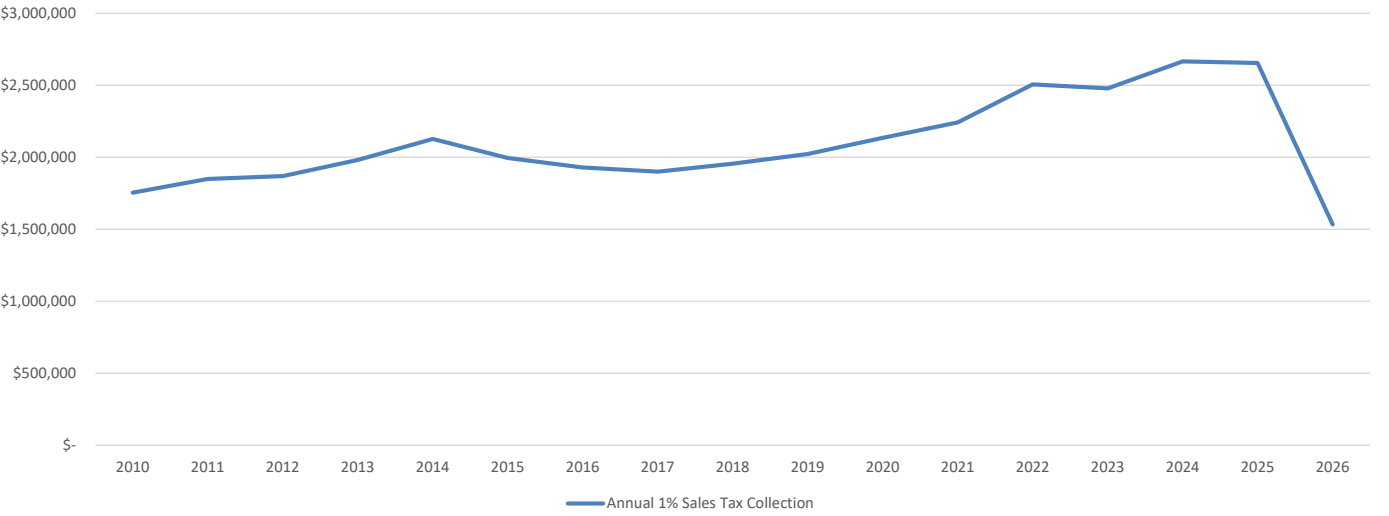
July 1% Sales Tax 10 Year History FY 2017 - FY 2026



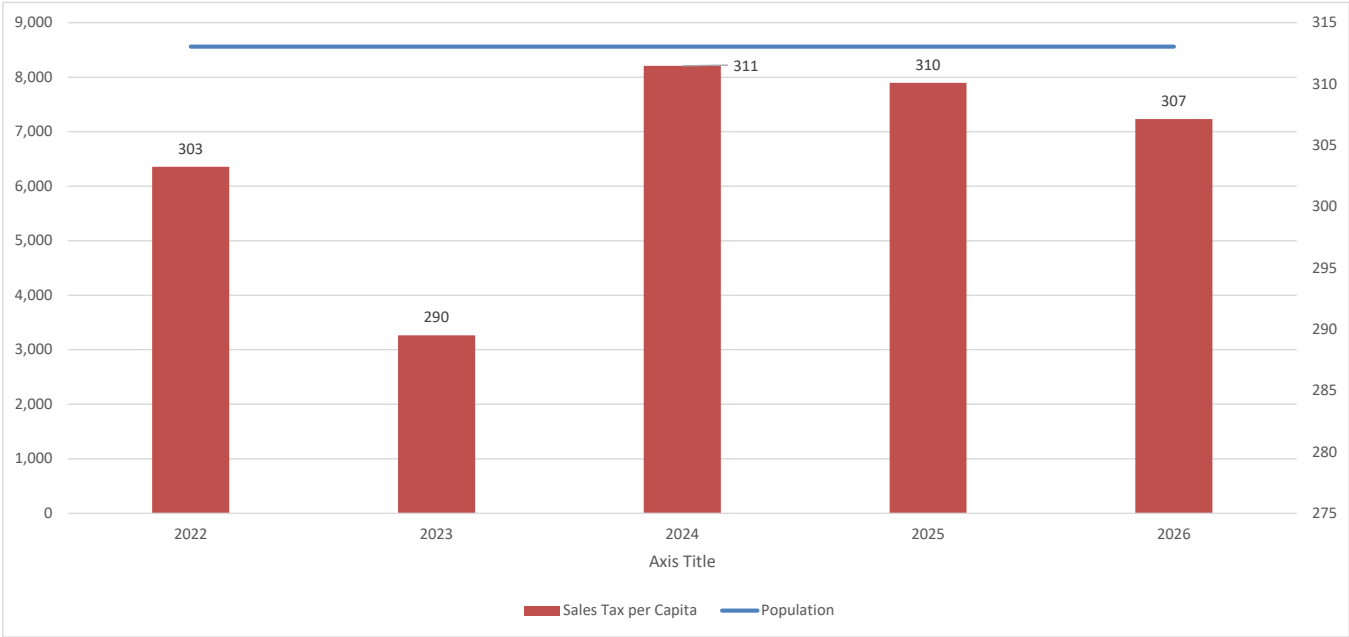
Sales Tax History Comparison - FY 2021 - FY 2026



Annual Sales Tax - One Percent General Fund



Sales Tax per Capita and Population Trend



2026 Sales Tax - One Percent General Fund Compensating Use Sales Tax and Sales Tax





City of Independence 2026 Sales Tax - 1%

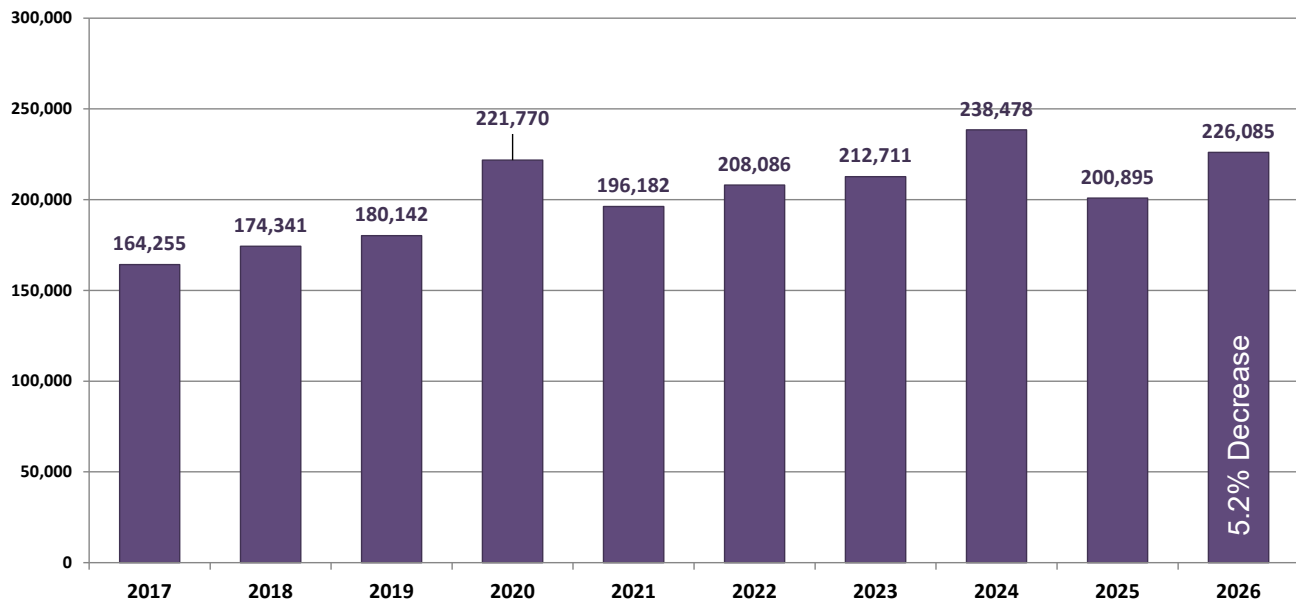
Comparison and History January - August 2026

	Fiscal Year	Fiscal Year	Fiscal Year	Fiscal Year		Fiscal Year	% Change	% Change
Month	2021	2022	2023	2024	2025	2026	FY 25-26	YTD
January	163,252	185,340	192,816	224,785	218,866	211,368	-3.4%	-3.4%
February	187,879	227,272	240,332	237,758	237,278	274,622	15.7%	6.5%
March	178,907	184,767	193,222	208,111	196,911	207,419	5.3%	6.2%
April	167,798	195,697	191,365	231,871	208,654	188,023	-9.9%	2.3%
May	205,282	233,465	212,641	224,944	240,082	221,456	-7.8%	0.1%
June	206,304	224,267	206,139	218,239	203,052	218,225	7.5%	1.2%
July	181,396	200,760	220,603	240,065	238,171	212,711	-10.7%	-0.6%
August	196,182	208,086	212,711	238,478	200,895	226,085	12.5%	0.9%
September	196,679	278,674	192,686	202,364	245,035			-11.5%
October	179,011	163,298	225,542	239,697	237,961			-21.0%
November	169,058	198,402	205,710	199,002	201,785			-27.5%
December	211,556	207,198	184,773	201,264	226,044			-33.7%
Total:	\$ 2,243,303	\$ 2,507,226	\$ 2,478,539	\$ 2,666,578	\$ 2,654,733	\$ 1,759,911		
% change	5.0%	11.8%	-1.1%	7.6%	-0.4%	-34.0%		
*Oct CPI % Change	6.2%	7.7%	3.2%	2.6%	2.7%			
Annualized	\$ 2,243,303	\$ 2,507,226	\$ 2,478,539	\$ 2,666,578	\$ 2,654,733	\$ 2,639,867	\$ (14,866)	
Budget	\$ 1,935,000	\$ 2,050,000	\$ 2,250,000	\$ 2,400,000	\$ 2,500,000	\$ 2,500,000	\$ -	
	\$ 308,303	\$ 457,226	\$ 228,539	\$ 266,578	\$ 154,733	\$ 139,867		
% Over/ (Under) PY Actual		11.8%	-1.1%	7.6%	-0.4%	-0.6%		
YTD % of Budget Collected		122.3%	110.2%	111.1%	106.2%	70.4%		
% Over Budget		22.3%	10.2%	11.1%	6.2%	5.6%		

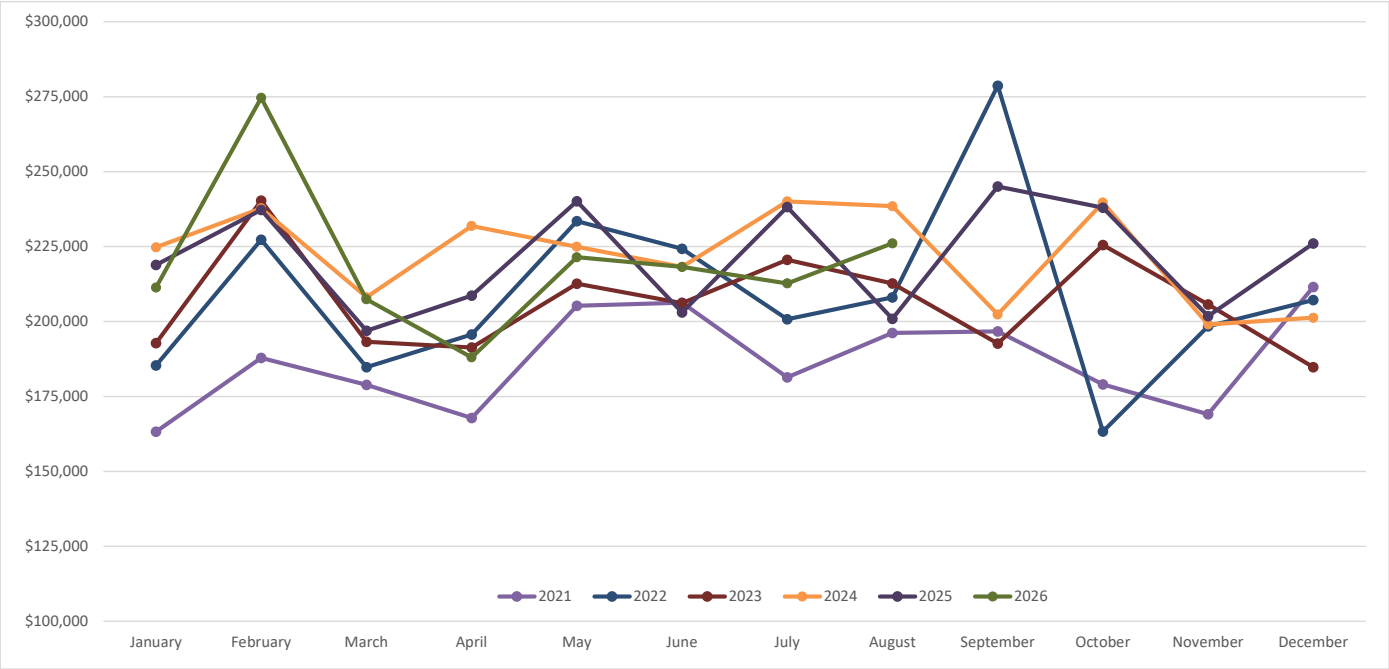
Sales Tax FY 2025 - FY 2026 Comparison



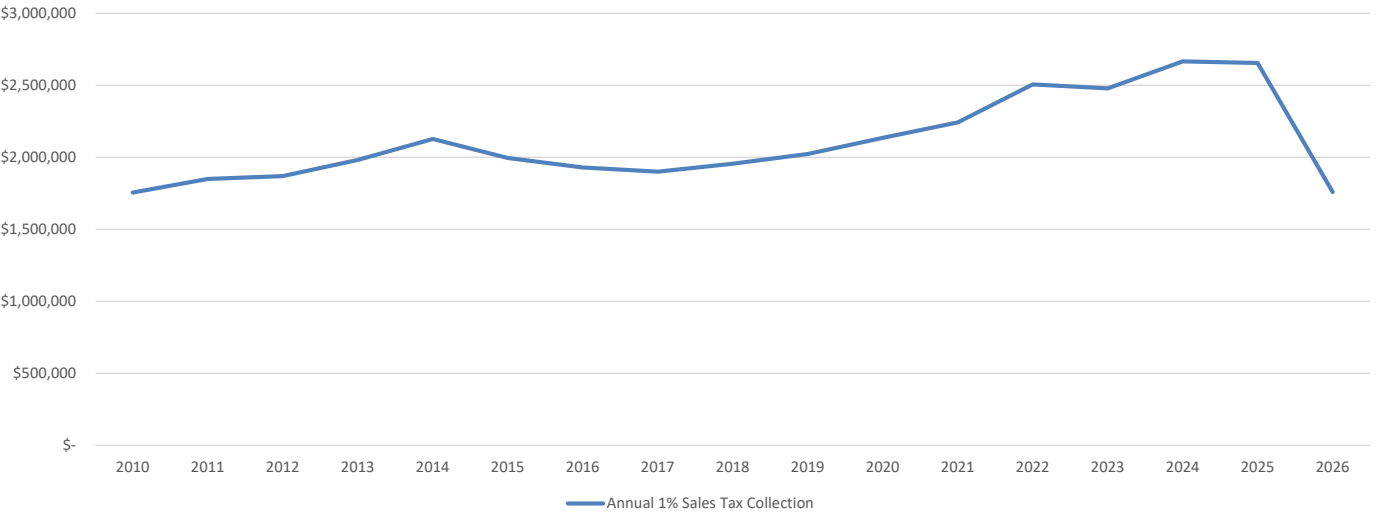
August 1% Sales Tax 10 Year History FY 2017 - FY 2026



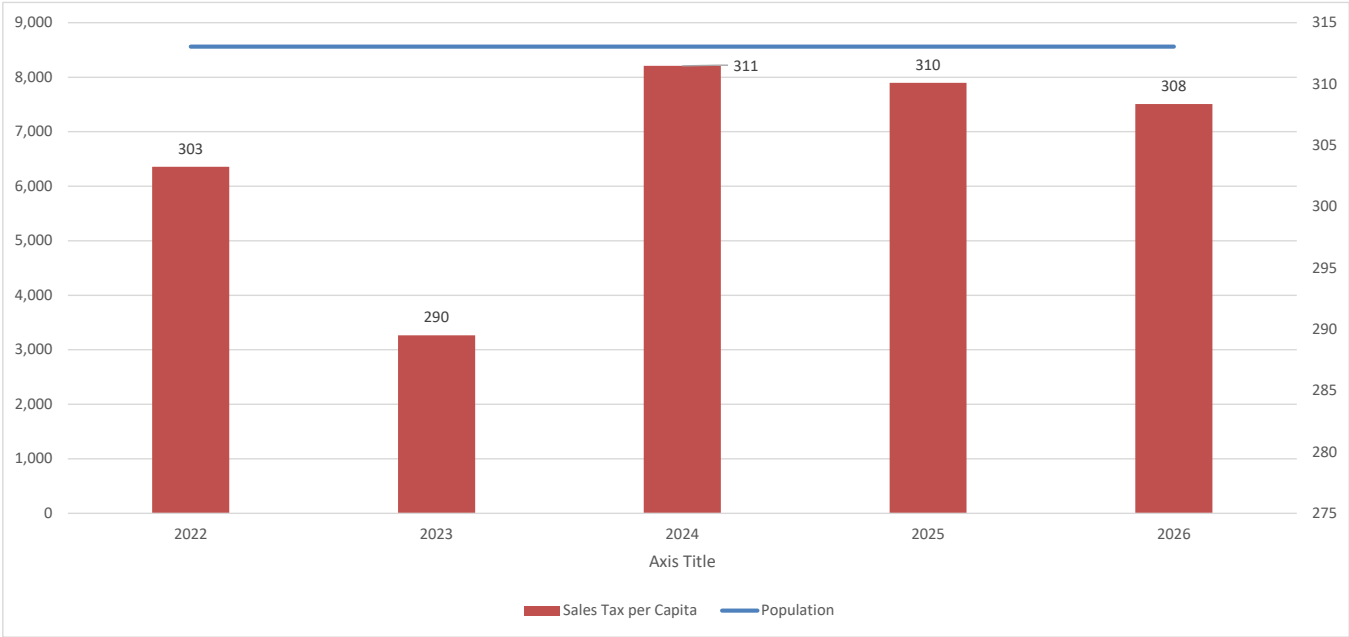
Sales Tax History Comparison - FY 2021 - FY 2026



Annual Sales Tax - One Percent General Fund



Sales Tax per Capita and Population Trend



2026 Sales Tax - One Percent General Fund Compensating Use Sales Tax and Sales Tax





Report
CITY OF INDEPENDENCE
September 10, 2026

Department City Clerk

Director Approval David Schwenker

AGENDA ITEM City Board Minutes

BACKGROUND

SUPPORTING DOCUMENTS

1. July 13, 2026 IHPRC Meeting Minutes
2. July 7, 2026 Planning Commission/Board of Zoning Appeals Minutes
3. August 4, 2026 Planning Commission/Board of Zoning Appeals Minutes

Independence Historic Preservation Review Commission (IHPRC)

Meeting Minutes

July 13, 2026

Attendance

Present: Tabatha Snodgrass, Ken Brown, Brett Richards, Bill Gour, Darin Axthelm, David Cowan, Lisa Wilson and Jason Rutledge

Guest: Amy Rash

Absent: Brea Sanford and Gary Hogsett

Call to Order

Chairman Darin Axthelm called the meeting to order.

Approval of Minutes

Ken Brown recommended approval of the June 11, 2026, minutes.

Second: Brett Richards

Vote: Approved 5-0

Public Hearing

Chairman Darin Axthelm opened the public hearing to consider the nomination of the Girl Scout Cabin, located at 500 E. Locust (500 N. Park Blvd.), to the Local Register of Historic Structures.

Chairman Darin – any members who need to abstain? Ken Brown, yes I will abstain my vote.

Amy Rash, the owner of the building, was present, and she informed the IHPRC committee that with the help of local historian Ken Brown, she had applied to place the Girl Scout cabin on the local registry and on the State registry of historical structures. Her plan is to relocate the building, restore it, and use it as a venue for small gatherings. The purpose of using the building as a small event venue is to generate revenue to help offset maintenance and preservation costs.

Brett – Your plan is to relocate it?

Amy – Yes, our plan is to remove it from the floodplain and relocate it, I am not sure where that location will be.

Chairman Darin – You are placing it on the State register of historical structures?

Ken – Yes, by placing it on the State Register, she would then be eligible for Historic Tax Credits. Ken indicated, the process with the State takes time, the State has requested additional information, including updated photographs submitted by Steve McBride. Ken stated he would make the requested corrections and resubmit the application. He noted that the State review process may not be completed until the first of the year.

Amy – My plan is to visit with my contractor and mover in August to determine the logistics of the move, including how far the building can be relocated.

Brett – I reviewed the application, I felt it was detailed and met all of the requirements to be placed on the local register of historical places.

Chairman Darin – Are there any further questions? If no further questions, I will close the Public Hearing and is there a motion?

Motion: Bill – approve the nomination of the Girl Scout Cabin, located at **500 E. Locust (500 N. Park Blvd.)**, to the Local Register of Historic Structures.

Second: Jason Rutledge

Vote: Approved 4-0 (one abstention)

Action Items

Certificate of Appropriateness – 216 N. Penn

Karl Shane submitted an application to replace the awning at 216 N. Penn in conjunction with relocating his business from Main Street to 216 N. Penn Avenue. Shane was not present but Tabatha Snodgrass reviewed the application with the board and answered questions.

Motion: Brett Richards moved to approve the Certificate of Appropriateness for the replacement awning as presented.

Second: Ken Brown

Vote: Approved 5-0

Action Items

Certificate of Appropriateness – 117 E. Main

Rene Hines has applied for a Certificate of Appropriateness for 117 E. Main to replace her roof. She is currently working with M&M Roofing to finalize the project details but requested approval so work can begin as soon as possible due to a significant roof leak. During discussion, David Cowan informed the Commission that the Building Inspector would work with the contractor to ensure the roof replacement complies with the Historic District design requirements.

Motion: Jason Rutledge moved to approve the Certificate of Appropriateness for the proposed roof replacement pending review and approval by the Building Inspector to ensure compliance with Historic District requirements.

Second: Ken Brown

Vote: Approved 5-0

Discussion Items - None

Adjournment

Motion: Chairman Darin Axthelm moved to adjourn the meeting.

Second: Bill Gour

Vote: Approved 5-0



Office of the Assistant City Manager
120 North 6th Street
Independence, KS 67301

The meeting was adjourned.

**Minutes of the Planning and Zoning Commission/Board of Zoning Appeals's July 7, 2026
Meeting**

I. Call to Order

Present: Rachel Lyon, Kym Kays, Michelle Avery, Tim Haynes, Gary Hogsett, Butch Holum, Rita Ortolani, Anita Chappuie and Bill Gour

Absent:

City Staff Present: David Cowan, Assistant City Manager; David Schwenker, City Clerk; and Kayla Schabel, Executive Assistant to the City Manager

Guests:

Chairperson Lyon called the meeting to order.

II. Minutes

- a. Consider approving minutes of the June 2nd, 2026 meeting.

Motion:

On the motion of Kym Kays, seconded by Gary Hogsett the Commission approved the June 2nd, 2026 minutes as presented.

Aye: Rachel Lyon, Kym Kays, Michelle Avery, Tim Haynes, Gary Hogsett, Butch Holum, Rita Ortolani, Anita Chappuie, Bill Gour

Nay: None

III. Board of Zoning Appeals (Does not include outside City appointments)

- a. Variance to reduce the side yard setback from ten (10) feet to four (4) feet in a C-2, Commercial Services District, at 1401 & 1411 North Pennsylvania Avenue.

The applicant owns two adjacent properties- 1401 and 1411 North Pennsylvania Avenue - currently held as a single property, and wishes to divide the property so that they may be conveyed as separate parcels. A detached carport between the buildings provides established off-street parking for one of the buildings. To draw the new interior lot line so that the detached carport and its parking remain with the building they serve, the line would fall within the ten (10) foot side yard setback otherwise required in the C-2 district. The applicant therefore requests a variance reducing the required side yard setback from ten (10) feet to four (4) feet along that new interior lot line. No change to the buildings, uses, or exterior of the site is proposed; the request effectively relocates an interior property line.

Minutes of the Planning and Zoning Commission/Board of Zoning Appeals's July 7, 2026
Meeting

Motion:

On the motion of Anita Chappuie, seconded by Tim Haynes, the Commission approved Case 2026/VAR/03, a variance reducing the required side yard setback from ten (10) feet to four (4) feet along the interior lot line dividing 1401 and 1411 North Pennsylvania Avenue in the C-2, Commercial Services District, finding that the five conditions of Section 2-116 have been met.

Aye: Rachel Lyon, Michelle Anderson, Tim Haynes, Butch Holum, Rita Ortolani, Anita Chappuie, Bill Gour
Nay: None

IV. Planning Commission

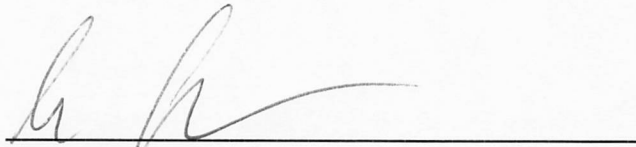
V. Discussion

VI. Adjournment

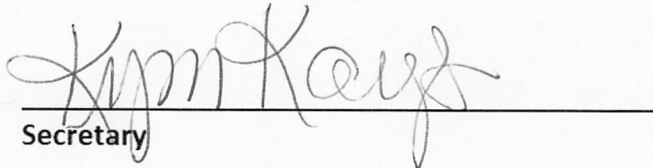
Motion:

On the motion of Anita Chappuie, seconded by Tim Haynes the Commission adjourned the meeting.

Aye: Rachel Lyon, Kym Kays, Michelle Avery, Tim Haynes, Gary Hogsett, Butch Holum, Rita Ortolani, Anita Chappuie, Bill Gour
Nay: None



Vice-Chair



Secretary

**Minutes of the Planning and Zoning Commission/Board of Zoning Appeals's August 4, 2026
Meeting**

I. Call to Order

Present: Michelle Avery, Tim Haynes, Gary Hogsett, Butch Holum, Anita Chappuie and Bill Gour

Absent: Rachel Lyon, Kym Kays, and Rita Ortolani

City Staff Present: Kelly Passauer, City Manager; David Schwenker, City Clerk; April Nutt, Director of Housing Authority; John Garriss, City Engineer/ Director of Public Works; and Kayla Schabel, Executive Assistant to the City Manager

Guests: Bonnie Crouchman, Chris Moore, England Porter and Krtstal Lyon

Vice Chair Chappuie called the meeting to order.

II. Minutes

- a. Consider approving minutes of the July 7th, 2026 meeting.

Motion:

On the motion of Butch Holum, seconded by Gary Hogsett, the Commission approved the July 7th, 2026 meeting minutes as presented.

Aye: Tim Haynes, Gary Hogsett, Butch Holum, Anita Chappuie, Bill Gour

Nay: None

III. Board of Zoning Appeals (Does not include outside City appointments)

- a. Public Hearing to receive comments on a variance request for a property in the O&P, office and professional zoning district to allow 1) an existing structure to remain at its current setback from the street/right-of-way property line; and 2) a reduction of the required off-street parking for a professional office.

Applicant / Proposed Owner: Community Crisis Team (CCT), P.O. Box 1485, Independence, KS 67301

Agent: Vic Gorman, 3788 CR 3870, Independence, KS 67301

Current Owner: Independence German Baptist / Brethren Church, 920 W. Myrtle St., Independence, KS 67301

Location: 920½ W. Myrtle Street, Independence, KS 67301

Present Zoning: O&P (Office and Professional) District

Legal Description: Block 3, Lot 7&8, Concannon's Addition to the City of Independence, Montgomery County, Kansas.

Minutes of the Planning and Zoning Commission/Board of Zoning Appeals's August 4, 2026
Meeting

- The Independence German Baptist / Brethren Church occupies the building fronting W. Myrtle Street and will retain it.
- The Community Crisis Team proposes to purchase Lots 7 & 8 (the rear parcel), containing the building it will use as a community support facility. The lot is being split off from the church's property, creating a new lot line between the church building and the Community Crisis Team building.
- The building on Lots 7 & 8 previously operated as a daycare and is an existing legal nonconforming (grandfathered) structure; its placement and lack of on-site parking were not zoning violations while the property was held together under one ownership.
- The building provides no on-site off-street parking. As a former daycare, patrons parked in the City parking lot on the east side of the building.
- The applicant states parking use would be short-term (under one hour) and would primarily use the alley.

PARKING CALCULATION - OUTSTANDING INFORMATION

Off-street parking for an office use is calculated on the basis of gross floor area (GFA); storage area is not included in the office parking calculation. The applicant has not yet provided the breakdown of square footage to be used as office space versus storage. Until that information is received, staff cannot determine the number of spaces required and therefore cannot quantify the size of the parking variance. The parcel provides zero off-street spaces.

Motion:

On the motion of Tim Haynes, seconded by Butch Holum the Commission approved two variances from the Zoning Ordinance for property in the O&P as presented: 1) a reduction of the required setbacks arising from a proposed lot split and 2) a reduction of the off-street parking requirement to allow occupancy of the building as a Community Crisis Team support facility with no on-site off-street parking.

Aye: Michelle Avery, Tim Haynes, Butch Holum, Anita Chappuie, Bill Gour

Nay: None

IV. Planning Commission

- a. Move the 11/03/2026 meeting to 11/10/2026 due to elections.

Motion:

On the motion of Tim Haynes, seconded by Bill Gour, the Commission approved moving the November 3rd, 2026 meeting to November 10th, 2026 at 5:30 p.m.

Minutes of the Planning and Zoning Commission/Board of Zoning Appeals's August 4, 2026
Meeting

Aye: Michelle Avery, Tim Haynes, Gary Hogsett, Butch Holum, Anita Chappuie, Bill Gour
Nay: None

V. Discussion

- a. Discussion about Accessory Use and Data Centers for the Zoning Code.

Discussion as to data centers and an amendment of the code.

John Garris provided information to the Board.

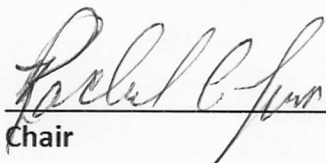
Discussion as to the continued use of accessories on separate lots and the limitation of size requirements.

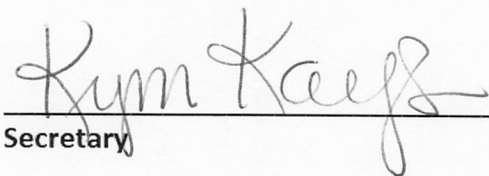
VI. Adjournment

Motion:

On the motion of Tim Haynes, seconded by Bill Gour, the Commission adjourned the meeting.

Aye: Michelle Avery, Tim Haynes, Gary Hogsett, Butch Holum, Anita Chappuie, Bill Gour
Nay: None


Chair


Secretary