

## Minutes of the Independence City Commission's February 25, 2016 Meeting.

The Independence City Commission met on February 25, 2016 at 5:30pm in the Veterans Room at Memorial Hall. Commissioner Leonhard Caflisch, Mayor Gary Hogsett, and Commissioner Fred Meier were present. Others present included:

### **City Staff**

Micky Webb, City Manager  
Jeff Chubb, City Attorney  
Kelly Passauer, Assistant City Manager  
Jennifer Rutledge, Director of Finance/City Clerk  
Christina Johnson, Police Officer  
Dave Cowan, Public Safety Director  
Terry Lybarger, Utilities Director  
Mike Passauer, Public Works Director  
April Nutt, Housing Director  
Rusty Baker, Fire Chief  
Barb Beurskens, Park and Zoo Director

### **Visitors**

Rick Mott	Jeff Weimer
Larry McHugh	Larry Weimer
Jerry Bright	Terry Whittet
Deb Fox	Shaun Ponder
Steve McBride	Lonnie Gorman
Toni Camacho	Jon Risner
Paul Reaves	Lisa Wilson
Gene Carlson	Ned Stichman
Mohammed Samara	Renee Woolard
Charlotte Caflisch	Louis Ysusi
Shawn Turner	Judy Ysusi
Chuck Goad	Randy Rood
Ben Chism	Cathy Rood
Amanda Williams	Paul Fairbank
Bill Wullenschneider	Carol Fairbank
Dian Wullenschneider	Phil Loveless
Don Farthing	Sean Clapp

### **Call to Order**

The meeting was called to order by Mayor Leonhard Caflisch.

### **Pledge of Allegiance to the United States of America**

**Adoption of the Agenda**

**Motion:**

**On the motion of Commissioner Meier, seconded by Commissioner Hogsett, the Commission adopted the agenda with the following additions and changes:**

- **Item y. Consider proclaiming March 1, 2016, as City Hall Centennial Day. was added to the Agenda.**
- **Item g. Consider Change Order #4 in the amount of -\$32,538.02 with Mission Construction Co., Inc., for the West Main Reconstruction project was moved to Items for Commission Action. See item m.**
- **Item m. Consider renewing concession stand lease with the Lions Club. was moved to items for Commission Action. See item n.**

**Aye: Cafilisch, Meier, Hogsett**

**Nay: None**

**Old Business**

This time is provided for the Commission to complete any old business prior to the reorganization.

**The City Clerk explained to the Commissioners that she had been asked to purchase a book called Kansas Local Government Law for each commissioner. These books are priced at \$200 each and the latest edition is from 2014. The City Clerk asked if the Commissioners would like her to proceed with the purchase or if they might like to wait until a new edition has been prepared. The Commission agreed to wait due to the changes in the recent legislative session.**

**New Business**

Reorganization of the Commission.

1. Election of Mayor

**Motion:**

**On the motion of Commissioner Cafilisch, seconded by Commissioner Meier, the Commission appointed Commissioner Hogsett Mayor.**

**Aye: Cafilisch, Meier**

**Nay: None**

**Abstain: Hogsett**

2. Election of Vice Mayor

**Motion:**

**On the motion of Commissioner Cafilisch, seconded by Mayor Hogsett, the Commission appointed Commissioner Meier Vice Mayor**

**Aye: Cafilisch, Hogsett**

**Nay: None**

**Abstain: Meier**

3. Designation of Official City Newspaper

**Motion:**

**On the motion of Commissioner Meier, seconded by Commissioner Cafilisch, the Commission designated the Independence Daily Reporter as the Official City Newspaper.**

**Aye: Cafilisch, Meier, Hogsett**

**Nay: None**

4. Designation of Official City Depository

**Motion:**

**On the motion of Commissioner Meier, seconded by Commissioner Cafilisch, the Commission designated Community National Bank as the Official City Depository.**

**Aye: Cafilisch, Meier, Hogsett**

**Nay: None**

5. Consider changing day of the week and time for Commission meetings

- i. Consider rescheduling March 10<sup>th</sup> meeting [CITIZENS].

**Motion:**

**On the motion of Mayor Hogsett, seconded by Commissioner Meier, the Commission rescheduled the March 10<sup>th</sup> meeting to March 17<sup>th</sup> and asked to be called O'Cafilisch, O'Meier and O'Hogsett.**

**Aye: Cafilisch, Meier, Hogsett**

**Nay: None**

**Citizens Concerns and Petitions**

**Adoption of the Consent Agenda**

- a. Appropriations

2. A-1761

**Motion:**

**On the motion of Commissioner Caflisch, seconded by Mayor Hogsett, the Commission approved A-1761 for \$755,674.49.**

**Aye: Caflisch, Meier, Hogsett**

**Nay: None**

3. P-1723

**Motion:**

**On the motion of Commissioner Caflisch, seconded by Mayor Hogsett, the Commission approved P-1723 for \$118,050.32.**

**Aye: Caflisch, Meier, Hogsett**

**Nay: None**

- b. Consider approving the minutes of the February 11, 2016 Commission meeting [CITIZENS].

**Motion:**

**On the motion of Commissioner Caflisch, seconded by Mayor Hogsett, the Commission approved the minutes of the February 11, 2016 Commission meeting.**

**Aye: Caflisch, Meier, Hogsett**

**Nay: None**

- c. Consider Change Order #2 in the amount of -\$6,775.00 with Heckert Construction Co., Inc. for the US 160 (East Main St.), Park Blvd to Cement project [CITIZENS].

See attached change order recommended for approval by TranSystems.

**Motion:**

**On the motion of Commissioner Caflisch, seconded by Mayor Hogsett, the Commission approved Change Order #2 in the amount of -\$6,775.00 with Heckert Construction Co., Inc. for the US 160 (East Main St.), Park Blvd to Cement project.**

**Aye: Caflisch, Meier, Hogsett**

**Nay: None**

- d. Consider Change Order #3 in the amount of \$12,301.52 with Heckert Construction Co., Inc. for the U.S. 75 (Penn Avenue), Oak St. to Morningside Drive project [CITIZENS].

See attached change order recommended for approval by TranSystems.

**Motion:**

**On the motion of Commissioner Cafilisch, seconded by Mayor Hogsett, the Commission approved Change Order #3 in the amount of \$12,301.52 with Heckert Construction Co., Inc., for the US 75 (Penn Avenue), Oak St. to Morningside Drive project.**

**Aye: Cafilisch, Meier, Hogsett**

**Nay: None**

- e. Consider Change Order #4 in the amount of -\$32,538.02 with Mission Construction Co., Inc. for the West Main Reconstruction project [CITIZENS].

See attached change order recommended for approval by TranSystems.

**This item was moved to Items for Commission Action. See item m.**

- f. Consider approving the Memorial Hall rental policies and rate structure [CITIZENS/CITY EMPLOYEES/QUALITY OF LIFE SYSTEM].

Attached is a memo and proposed revised rental policies and rate structure for Memorial Hall prepared by Toni Camacho, Building Supervisor. The policy changes were reviewed by the Promotions Committee. City staff recommends approval.

**Motion:**

**On the motion of Commissioner Cafilisch, seconded by Mayor Hogsett, the Commission approved the Memorial Hall rental policies and rate structure.**

**Aye: Cafilisch, Meier, Hogsett**

**Nay: None**

- g. Consider co-sponsoring Astra's Art in the Park on Sunday, July 3<sup>rd</sup> and allow food vendor trucks in the park oval during the event [CITIZENS/QUALITY OF LIFE SYSTEM].

ASTRA is requesting permission to have food vendors in the park as part of their Art in the Park event scheduled for Sunday, July 3<sup>rd</sup>. City staff recommends approval.

**Motion:**

**On the motion of Commissioner Cafilisch, seconded by Mayor Hogsett, the Commission approved the minutes of the February 11, 2016 Commission meeting.**

**Aye: Cafilisch, Meier, Hogsett**

**Nay: None**

- h. Consider an ordinance creating a tree board [CITIZENS/QUALITY OF LIFE SYSTEM].

Attached is a memo from the City Attorney and an ordinance creating a tree board to prepare and update a Community Forestry Plan. This ordinance was requested by Tim Haynes. City staff recommends approval.

**Motion:**

**On the motion of Commissioner Cafilisch, seconded by Mayor Hogsett, the Commission adopted Ordinance 4214 creating a tree board.**

**Aye: Cafilisch, Meier, Hogsett**

**Nay: None**

- i. Consider authorizing blocking Myrtle from Penn to 8<sup>th</sup> from 7 AM to 11 AM on Saturdays in June through August for the annual Farmer's Market [CITIZENS/QUALITY OF LIFE SYSTEM].

Attached is an email from the Independence Farmers' Market Board requesting blocking Myrtle from Penn to 8<sup>th</sup> from 7-11 AM on Saturdays in June through August. City staff recommends approval.

**Motion:**

**On the motion of Commissioner Cafilisch, seconded by Mayor Hogsett, the Commission authorized blocking Myrtle from Penn to 8<sup>th</sup> from 7AM to 11AM on Saturdays in June through August for the annual Farmer's Market.**

**Aye: Cafilisch, Meier, Hogsett**

**Nay: None**

- j. Consider releasing a 2<sup>nd</sup> mortgage on 1901 Eisenhower Court [CITIZENS].

**Motion:**

**On the motion of Commissioner Cafilisch, seconded by Mayor Hogsett, the Commission released a 2<sup>nd</sup> mortgage on 1901 Eisenhower Court.**

**Aye: Caflich, Meier, Hogsett**

**Nay: None**

- k. Consider renewing the concession stand lease with the Lions Club [CITIZENS/QUALITY OF LIFE SYSTEM].

**This item has been moved to Items for Commission Action. See item o.**

- l. Consider authorizing closing the park road between the 4-H Building and football field during construction of the new stadium [CITIZENS/EDUCATION/QUALITY OF LIFE SYSTEM].

**Motion:**

**On the motion of Commissioner Caflich, seconded by Mayor Hogsett, the Commission authorized closing the park road between the 4-H Building and football field during construction of the new stadium.**

**Aye: Caflich, Meier, Hogsett**

**Nay: None**

**Items for Commission Action**

- m. Consider Change Order #4 in the amount of -\$32,538.02 with Mission Construction Co., Inc. for the West Main Reconstruction Project.

See attached change order recommended for approval by TranSystems.

**Motion:**

**On the motion of Mayor Hogsett, seconded by Commissioner Meier, the Commission approved Change Order #4 in the amount of -\$32,538.02 with Mission Construction Co., Inc., for the West Main Reconstruction Project.**

**Aye: Caflich, Meier, Hogsett**

**Nay: None**

- n. Consider renewing the concession stand lease with the Lions Club.

Attached is the concession stand renewal for the Lions Den in Riverside Park and Ralph Mitchel Zoo. City staff recommends authorizing the renewal.

**Motion:**

**On the motion of Mayor Hogsett, seconded by Commissioner Meier, the commission renewed the concession stand lease with the Lions Club.**

**Aye: Meier, Hogsett**

**Nay: None**

**Abstain: Cafilisch**

- o. Consider recommendation from TranSystems on awarding of Basin 5 rehabilitation work [CITIZENS].

Bids for rehabilitation of Basin 5 were received at 2 PM on Monday, February 22, 2016. Shawn Turner of TranSystems will review the bid tab at the meeting as it was not available at the time this memo was prepared.

**Motion:**

**On the motion of Commissioner Cafilisch, seconded by Commissioner Meier, the commission awarded the base bid of \$914,593.95 to Tri-Star Utilities and authorized City Staff to look at funding options to allow consideration of the alternate bid within 60 days.**

**Aye: Cafilisch, Meier, Hogsett**

**Nay: None**

- p. Consider an ordinance establishing minimum maintenance standards for commercial property in the central business district [CITIZENS].

Attached is an ordinance establishing minimum maintenance standards for commercial property in the central business district that was prepared by the City Attorney. A map of those properties zoned as C-3 that would be included in this ordinance is attached.

**A special meeting was scheduled for March 1, 2016, at 8am to discuss this further and allow property owners to provide input.**

- q. Consider deannexation of a 38.5 acre tract located at 730 (North) Peter Pan Road [CITIZENS].

This item has been tabled at the last two Commission meetings. IAP is requesting deannexation of their 38.5 acre tract located at 730 N. Peter Plan Road. They are requesting this so that they may lease the property for oil and/or gas drilling.

**Motion:**

**On the motion of Commissioner Meier, seconded by Mayor Hogsett, the commission approved the deannexation of a 38.5 acre tract located at 730 (North) Peter Pan Road.**

**Aye: Cafilisch, Meier, Hogsett**

**Nay: None**

- r. Consider annexation of a 2.3 acre tract located at 584 (North) Peter Pan Road [CITIZENS/BUSINESS & INDUSTRY].

This property is being sold along with 510 North Peter Pan Road which is already in the City for a development project that will also requiring rezoning both areas to commercial. City staff recommends annexing 584 (North) Peter Pan Road as requested by the owner.

**Motion:**

**On the motion of Commissioner Cafilisch, seconded by Commissioner Meier, the commission agreed to proceed with annexation of a 2.3 acre tract located at 584 (North) Peter Pan Road.**

**Aye: Cafilisch, Meier, Hogsett**

**Nay: None**

- s. Consider direction regarding a request for the City to assume responsibility of the Veterans Jet Display at Riverside Park [CITIZENS/QUALITY OF LIFE SYSTEM].

This item was tabled from a previous meeting pending further information.

**Motion:**

**On the motion of Commissioner Cafilisch, seconded by Commissioner Meier, the Commission authorized staff to proceed with the application to assume stewardship of the Veterans Jet Display and accept the responsibility of insurance and maintenance.**

**Aye: Cafilisch, Meier, Hogsett**

**Nay: None**

- t. Consider authorizing funding the lighting for the Heartland Veterans Memorial [CITIZENS/QUALITY OF LIFE SYSTEM].

We have received a request from William Wullenschneider to fund lighting up the new Heartland Veterans Memorial. In visiting with Westar a 150 watt directional security light would be \$15.78 per month.

**This item was tabled for further discussion.**

- u. Consider authorizing stop signs at 12<sup>th</sup> and Riley; and 20 MPH and No Parking signs on the west side of 12<sup>th</sup> from Oak to Pecan [CITIZENS/EDUCATION].

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This item has been on the previous two agendas. Since the last meeting staff did contact the school and conducted an experiment to determine where the traffic was going. City staff will review their findings at the Commission meeting.

**Phil Loveless, a police officer who lives in the neighborhood, spoke to the Commission. He noted that even with his cruiser sitting on the street, people run the stop signs and drive fast through the neighborhood. He agreed with the City recommendations and thought a one-way street would cause him problems moving his trailers.**

**Motion:**

**On the motion of Commissioner Meier, seconded by Mayor Hogsett, the Commission authorized staff to proceed with the recommendation of stop signs at 12<sup>th</sup> and Riley; and 20 MPH and No Parking signs on the west side of 12<sup>th</sup> from oak to Pecan.**

**Aye: Cafilisch, Meier, Hogsett**

**Nay: None**

- v. Consider authorizing installation of a disc golf course on the west side of South 10<sup>th</sup> Street [CITIZENS/QUALITY OF LIFE SYSTEM].

At the March 10, 2015 meeting the Commission approved proceeding "with fundraising to install a disc golf course on the flood lots on South 10<sup>th</sup> Street and to prepare a presentation covering operation of the course an events held at the course within one year". We have been contacted by Paul Reeves who has indicated they are ready to install the first nine holes of the course and he will be available to review their request with the Commission.

**Motion:**

**On the motion of Mayor Hogsett, seconded by Commissioner Meier, the Commission authorized the installation of a disc golf course on the west side of South 10<sup>th</sup> Street.**

**Aye: Cafilisch, Meier, Hogsett**

**Nay: None**

- w. Consider update regarding demolition of certain portions of previously donated property at 800 W. Myrtle and 900 W. Myrtle [CITIZENS].

The general contractor's final construction process moved the West Clinic (900 W. Myrtle) demolition to the beginning of the project rather than the end as originally scheduled. It is anticipated that demolition of the West Clinic will begin next week.

**Sean Clapp provided an update on the demolition of certain portions of previously donated property at 800 W. Myrtle and 900 W. Myrtle. Demolition of the west clinic building will begin on Tuesday.**

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- x. Consider reviewing the condition of the following previously condemned structures [CITIZENS]:

The Building Inspector will review each of the above structures and make a recommendation to the Commission regarding any further recommended action.

1. 208 W. Walnut – **The Commission will be review in 90 days.**
2. 220 N. Penn – **The Commission allowed work to proceed.**
3. 300 S. 14<sup>th</sup> – **The Commission will review in 90 days and asked that a new timeline be submitted by March 1, 2016.**
4. 308 N. 5<sup>th</sup> –

**Motion:**

**On the motion of Commissioner Caflisch, seconded by Commissioner Meier, the commission authorized staff to set the date for removal of 308 N 5<sup>th</sup>.**

**Aye: Caflisch, Meier, Hogsett**

**Nay: None**

5. 309 Cypress

**Motion:**

**On the motion of Mayor Hogsett, seconded by Commissioner Meier, the commission authorized staff to take steps to remove the house at the 1<sup>st</sup> meeting in August if not able to pass an HQS inspection.**

**Aye: Caflisch, Meier, Hogsett**

**Nay: None**

6. 400 W. Maple – **The owner will work with Jim to set a timeline for this project.**
7. 914 N. 6<sup>th</sup> – **The Commission will review in 90 days.**
8. 2012 N. 10 – **The Building Inspector explained that the Commission has authorized staff to set a date for removal, but because the electric account with Westar is current, they will not remove service to the house for demolition.**
9. 3159 W. Main

**Motion:**

**On the motion of Commisioner Meier, seconded by Mayor Hogsett, the commission authorized staff to proceed with demolition of 3159 W. Main.**

**Aye: Cafilisch, Meier, Hogsett**

**Nay: None**

#### Reports

- y. Report on grants applied for [CITIZENS/CITY EMPLOYEES].

Fire/EMS recently applied for the following grants:

1. Kansas Revolving Assistant Fund (KRAF) Grant – This grant would provide funding for training equipment including a simulaid mannequin (adult and child), a 12 lead ECG Generator and an IV Arm. The grant total is \$9,907.20 and the City match would be \$990.72 to be funded from the Fire/EMS budget.
2. South East Regional Trauma Council (SERTC) Trauma Education Funding Request -- \$1,500 for a Pre-hospital Trauma Life Support class. There is no City match required.

**The City Clerk reported that we are expecting to hear results of the grant award process in the next few weeks.**

- z. Report on League Hometown Showdown [CITIZENS/QUALITY OF LIFE SYSTEM].

Voting begins February 23, 2016 on the League of Kansas Municipalities' Facebook page for Round 1 of the 2016 Kansas Hometown Showdown. A new round will occur each week eliminating half of the contenders each round. The winner will be announced on April 4, 2016.

#### Commission Comments

#### Executive Session(s)

##### Motion:

**On the motion of Commissioner Meier, seconded by Mayor Hogsett, the commission called a 10 minute Executive Session according to Kansas Statute 75-4319 (b) (6) for the purpose of preliminary discussions relating the acquisition of real property to end at 7:30pm. The Executive Session included Mayor Hogsett, Commissioner Meier, Commissioner Cafilisch, the City Attorney, the Assistant City Manager and the City Manager.**

**Aye: Cafilisch, Hogsett, Meier**

**Nay: None**

The Mayor called the meeting back to order at 7:30pm.

**Motion:**

On the motion of Commissioner Meier, seconded by Commissioner Cafilisch, the commission called a 5 minute Executive Session according to Kansas Statute 75-4319 (b) (2) for the purpose of consultation with an attorney for the body or agency which would be deemed privileged in the attorney-client relationship to end at 7:35pm. The Executive Session included Mayor Hogsett, Commissioner Meier, Commissioner Cafilisch, the City Attorney, the Assistant City Manager and the City Manager.

Aye: Cafilisch, Hogsett, Meier

Nay: None

The Mayor called the meeting back to order at 7:35pm.

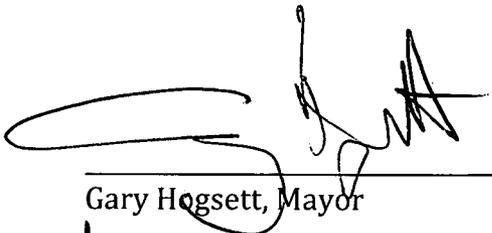
**Adjournment**

**Motion:**

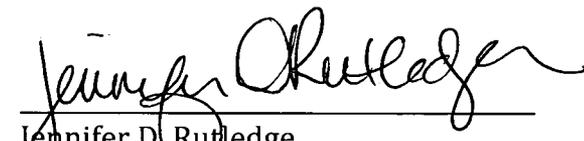
On the motion of Mayor Hogsett, seconded by Commissioner Meier, the meeting was adjourned.

Aye: Cafilisch, Hogsett, Meier

Nay: None

  
\_\_\_\_\_  
Gary Hogsett, Mayor  
\_\_\_\_\_  
Leonhard Cafilisch, Commissioner  
\_\_\_\_\_  
Fred Meier, Commissioner

Attest:

  
\_\_\_\_\_  
Jennifer D. Rutledge  
Director of Finance/City Clerk

# Attendance Sheet

## Independence City Commission Meeting

February 25, 2016

**PLEASE PRINT**

Name	Address
1 Rick Mott	1301 BIRDIE DRIVE
2 Larry McHugh	3625 CR 4300
3 Jerry Bright	201 South 13 <sup>th</sup>
4 Deb Fox	270D Rolling Green Dr.
5 Steve McBride	
6 Toni Camacho	
7 Paul Feares	704 N. 10 <sup>th</sup>
8 GENE CARLSON II ARKS, LLC	MYRTLE, INDY
9 Steve Duen	Indep KS
10 Mohammed Saman	400 W Maple
11 Charlotte Gaflich	Indep
12	Transp
13	2509 Shady Lane
14 Ben Chism	PO Box 903 Indep
15 Nicolas Scott	1201 N 5 <sup>th</sup> Independence KS
16 Amanda Williams	Reporter
17 Bill & Dian Wallenschneider	576 58 Road City
18 DON WORTHING	3015 N 8 <sup>th</sup>

19 ~~Jeff Weir~~  
20 Day Camp  
21 Terry Whitted  
22 Shann Foxler  
23 Lonnie D. Harmon  
24 Tom Riser  
25 Cuba  
26 Ned Strickman  
27 Danl Baker  
28 Louis & Judy Yaris  
29 Randy & Cheryl Reed  
30 Kayl & Carol ~~Garbank~~  
31 Mr. Loveless  
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300 N Tent  
60/Big Indike  
Inde  
Inde  
Indy  
1252 Main  
1902 MacArthur  
  
719 Mudge  
112 Timberlane Dr.  
300 Cypress  
1400 N. 9th  
1100 N 12th

## Request to Address the City Commission



Name: Phil Lovelass

Agenda item you wish to address: Letter: 0; or

Public concern you wish to address: 12th street

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Prior to the start of the meeting, please hand this form to the City Clerk

When the Mayor calls on you, please state your name and direct your comments to the Commission. Your comments should be limited to a maximum of 3 minutes.

No \_\_\_\_\_