

Minutes of the Independence City Commission's December 19, 2019 Meeting

The Independence City Commission met for a regular meeting on December 19, 2019 at 5:30 P.M. in the Veterans Room at the Memorial Hall. Mayor Louis Ysusi, Commissioner Leonhard Cafilisch, and Commissioner Gary Hogsett were present. Others present included:

City Staff

Jeff Chubb, City Attorney
Kelly Passauer, Assistant City Manager/Zoning Administrator
David Schwenker, City Clerk/City Treasurer
Ed Sykes, Chief Water Plant Operator
Jerry Harrison, Police Chief
David Cowan, Director of Safety/ADA Coordinator
Mike Passauer, Public Works Director
Brian McHugh, Memorial Hall Supervisor
Lacey Lies, Director of Finance

Visitors

Larry McHugh
Dean Hayse
Robert Deal
Jerry Bright
Vance Kelly
Ian Pitts

I. REGULAR SESSION

A. Call to Order

Mayor Ysusi Called the meeting to order.

B. Pledge of Allegiance to the United States of America

C. Adoption of Agenda

Motion:

On the motion of Mayor Ysusi, seconded by Commissioner Hogsett the Commission adopted the agenda.

Aye: Ysusi, Cafilisch, Hogsett

Nay: None

II. APPOINTMENTS

A. Planning Commission/Board of Zoning Appeals

1. Reappoint Lisa Richard to a first term (previously served an unexpired term).

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Motion:

On the motion of Mayor Ysusi, seconded by Commissioner Cafilisch the Commission moved to reappoint Lisa Richard to the Planning Commission/Board of Zoning Appeals.

Aye: Ysusi, Cafilisch, Hogsett

Nay: None

2. One Resignation and one additional term expiring (Applications Due January 17, 2020).

B. Tree Board

1. Reappoint David Parker to a second term.

This item was tabled.

2. Two terms expired (Applications Due January 17, 2020).

III. 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. Appropriations

1. A-1853
2. P-1825

B. Consider authorizing abating nuisance taxes for mowing fees at 108 S. 25th.

C. Consider bids for chemicals at the Water Treatment Plant.

D. Consider approving the following Cereal Malt Beverage Licenses:

1. Gary Grewell DBA Jiffy Mart #1 -- 600 W. Main Street
2. Mikie's C-Store -- 1901 N. Pennsylvania Avenue
3. Indy Brew Works, LLC -- 223 W. Main Street
4. Matthew Kent DBA Gramps Tavern -- 811 N. 11th Street
5. Western Plains Operations DBA Jumpstart -- 401. W Main Street
6. AKAS 1 LLC -- 3024 W. Main Street
7. Walgreens #09454 -- 301 W. Main Street

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8. Walmart #2893 -- 121 Peter Pan Road
9. Pizza Hut of SE Kansas -- 1815 N. Pennsylvania Avenue
10. Casey's General Store #1814 -- 1305 N. Pennsylvania Avenue
11. G&W2 LLC -- 416 W. Myrtle
12. Diego Arredondo DBA Mariachi Grill, LLC -- 1901 W Main Street

Motion:

On the motion of Mayor Ysusi, seconded by Commissioner Caflisch the Commission adopted the Consent Agenda.

Aye: Ysusi, Caflisch, Hogsett

Nay: None

IV. PUBLIC HEARING

- A. Consider amending the 2019 budget.

Director Lies noted that the Special Use Sales Tax would have to be increased due to an increase in General Fund Transfers and the 2018 Phase IV ADA project that was not encumbered for in 2018 and the 2019 Mill and Overlay project that was paid for in this year. The Education Sales Tax Fund is being amended to show the increase in sales tax. The Sanitation Fund is being amended for the purchase of the two sanitation trucks, the General Fund Employee Benefit Fund will need a small increase of \$25,000 and the Airport Fund is being amended for an increase in fuel sales.

Mayor Ysusi opened the public hearing for comments. With no comments from the public the Mayor closed the public hearing.

Motion:

On the motion of Mayor Ysusi, seconded by Commissioner Hogsett the Commission approved the amended 2019 Budget as presented.

Aye: Ysusi, Caflisch, Hogsett

Nay: None

V. ITEMS FOR COMMISSION ACTION

- A. Consider a request to rezone tracts of land from R-3, low density multifamily dwelling district to C-2, commercial services district at 611 W. Main Street, 615 W. Main Street and 101 S. 12th Street.

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Assistant City Manager Passauer gave a review of the activities at the Planning Commission meeting. City staff recommends that the alley be paved with concrete.

Commissioner Cafilisch asked if the development plan was approved by KDOT. Assistant City Manager Passauer replied that it was approved.

Robert Deal with Budding, Webb and Company, the architect of record and representing the developer stated that they would like to look at heavy asphalt instead of concrete for the alley.

Commissioner Cafilisch noted that there should be concrete aprons at each end of the alley and his staff is agreeable he would be in favor of using heavy asphalt for the alley.

Mr. Deal noted that they would not be using the alley to make any deliveries and only the trash trucks would be using the alley.

Commissioner Cafilisch stated that they should check with KDOT for any special requirements they may have for the alley.

Motion:

On the motion of Mayor Ysusi, seconded by Commissioner Cafilisch the Commission accepted the recommendation of the Planning Commission and adopt an ordinance rezoning tracts of land from R-3, low density multifamily dwelling district to C-2, commercial services district at 611 W. Main Street, 615 W. Main Street and 101 S. 12th Street with conditions which shall be binding on all future owners, assigns or heirs.

Aye: Ysusi, Cafilisch, Hogsett

Nay: None

- B. Consider rejecting bid(s) received and reauthorizing the sale of lots located 813 W. Myrtle and 913-917 W. Myrtle.

Assistant City Manager Passauer noted that the bids that were received did not meet the minimum bid requirements and is recommending that the Commission reduce the minimum bid requirements in half and rebid the lots.

Motion:

On the motion of Mayor Ysusi, seconded by Commissioner Cafilisch the Commission rejected the bid(s) received and reauthorized the sale of lots located on the south side of the 800-900 blocks of West Myrtle Street with the minimum bid amounts modified as recommended by staff.

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Aye: Ysusi, Caflisch, Hogsett

Nay: None

VI. DISCUSSION

A. 1916 City Hall and Public Safety Facilities:

1. Discuss Change Order #3 for \$20,610.70 for the 1916 City Hall Phase I project regarding additional needed roof repairs.

Ian Pitts stated the change order was due to the removal of the existing roof exposed a lot of brick spalling and the change order will fix this problem.

Commissioner Caflisch asked if these fixes would stop any future deterioration of the plywood.

Mr. Pitts replied that it would.

Mayor Ysusi asked how long the warranty is for the new roof.

Mr. Pitts replied that he would have to check on that.

2. Discuss a proposal for an amendment for additional construction services from TreanorHL regarding the 1916 City Hall Phase I project.

Vance Kelly presented a proposal to extend their original contract another eight months due to the longer timeframe of construction required by the contractor.

Commissioner Caflisch expressed his desire to not have a fixed fee but, have a cost per visit in case the contractor finishes ahead of schedule.

Mr. Kelly replied that he doesn't mind charging on a per visit basis but, he is concerned about the additional time above and beyond a trip charge and asked the Commission would consider that as well.

Commissioner Caflisch replied that time to communicate regarding those conversations are allowable if they are within reason.

Mr. Kelly replied that he would revise the contract with the noted changes and send it to Assistant City Manager Passauer as a draft.

3. Discuss a proposal for additional conceptual designs from TreanorHL regarding the 1916 City Hall and Public Safety Facilities.

Commissioner Caflisch asked about the four different proposals.

Mr. Pitts replied that the four different options include looking at all City departments within the 1916 building, an option with all City departments within the 1916 building with an addition to handle space requirements for police department, a third option for fire/ems as an addition to the temporary

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apparatus bay, and a fourth option for fire/ems and police to be located at the temporary apparatus bay.

Commissioner Hogsett asked what the difference is between design and concept design.

Mr. Pitts stated that this is a preliminary design that provides detailing to the point to be able to get to space savings that were discussed previously in August and to look at how spaces can be shared between departments. He noted that these plans are a little more developed than the program plans that were previously issued.

Commissioner Caflisch wondered why the square footage kept increasing.

Mr. Kelly replied that the early programming numbers were questioned, and they met with City staff to confirm their current needs.

Commissioner Caflisch noted that option two and three would be the more relevant options to consider

Mr. Kelly confirmed that they will work on those two options.

VII. REPORTS

A. 223 W. Main Street Update.

Director Cowan reported that he had received all the submittals from Morrison Builders and the architect.

Mayor Ysusi asked what the next step is.

Director Cowan replied that he would review the plans and submit them to Poole Fire Protection and then visit with the Commission and respond back to Morrison Builders.

Mayor Ysusi asked if they had provided all the information that was requested.

Director Cowan reported that he had provided all the information requested except for the written responses for Poole Fire Protection and those are included in the code footprint.

VIII. CITY MANAGER'S COMMENTS

Assistant City Manager Passauer noted that City Hall will close at noon on New Years Eve so that the Finance Department could run their year-end reports.

IX. COMMISSIONERS' COMMENTS

Mayor Ysusi wished everyone a Merry Christmas.

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X. PUBLIC CONCERNS

None

XI. EXECUTIVE SESSION

A. For the purpose of reviewing and considering City Manager applications.

This item was cancelled.

XII. ADJOURNMENT

Motion:

Mayor Ysusi moved to adjourn. Commissioner Hogsett seconded.

Aye: Ysusi, Caflisch, Hogsett

Nay: None

Louis Ysusi, Mayor

Leonhard Caflisch, Commissioner

Gary Hogsett, Commissioner

Attest:

City Clerk/Treasurer