

Minutes of the Independence City Commission's March 12, 2020 Meeting

The Independence City Commission met for a regular meeting on February 6, 2020 at 5:30 P.M. at the Memorial Hall. Mayor Leonhard Caflisch, Commissioner Louis Ysusi and Commissioner Dean Hayse 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
Lacey Lies, Director of Finance
Mike Passauer, Public Works Director
Jerry Harrison, Police Chief
Shawn Wallis, Fire/EMS Chief
Terry Lybarger, Director of Utilities
April Nutt, Director of Housing Authority
David Cowan, Director of Safety/ADA Coordinator
Barb Beurskens, Park and Zoo Director
Tim Townley, Police Officer

Visitors

Larry McHugh
Taina Copeland
Jerry Bright
Shawn Steward
Daniel Kiser
Lisa Wilson
Jeri Hopkins
John Long
Cloe Mills
Lynnsey Charter
Rodrigo Serrana
Wendy Hull
Cathy Muller
Carolyn Torrance
Dorcus Sutton
Ned Stichman

I. REGULAR SESSION

A. Call to Order

Mayor Caflisch called the meeting to order.

B. Pledge of Allegiance to the United States of America

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C. Adoption of Agenda

Motion:

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

Aye: Ysusi, Caflisch, Hayse

Nay: None

II. APPOINTMENTS

- A. Planning Commission/Board of Zoning Appeals -- One expired term – Applications Due March 25, 2020.

III. PRESENTATIONS

- A. AAA Traffic Safety Award-Gold level.

Shawn Steward with AAA Kansas presented Chief Harrison and the entire Independence Police Department with the 2019 AAA Kansas Community Traffic Safety Gold Award.

- B. Library Board of Trustees Year-End.

Jeri Hopkins presented the activities conducted by the library during 2019.

IV. 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-1858
2. D-2001
3. P-1831

- B. Consider authorizing the Mayor to sign two applications for grants from KDOT Aviation.

Motion:

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

Aye: Ysusi, Caflisch, Hayse

Nay: None

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V. ITEMS FOR COMMISSION ACTION

- A. Consider modified contract with PEC for design work for the Water Treatment Plant Phase II.

On February 19, 2020 the City Commission met with Sarah Unruh from PEC and City staff to review the scope of work and contract for the Phase II improvements at the Water Treatment Plant. At the meeting PEC was directed to include the demolition plan for existing out-of-service concrete tank and provide a cost for core samples to be taken at the existing two concrete basins and design of repairs. PEC provided a scope of work and cost of \$5,500 for this additional work. On February 27, 2020 the Commission provided direction to proceed with revising the contracting to include this additional work.

Motion:

On the motion of Commissioner Hayse, seconded by Commissioner Ysusi the Commission approved a modified contract with PEC for design work for the Water Treatment Plant Phase II.

Aye: Ysusi, Caflisch, Hayse

Nay: None

- B. Consider redirecting funds previously approved for the Library’s Children Area Remodel to the Library’s Open Access.

In 2019, the City budgeted \$60,000 for the Library’s Children Area remodel. The Library has since learned that they have been awarded multiple grants to help fund the project. The City encumbered the originally budgeted funds, as the project was not yet complete at the end of the year. The below table shows the expenditures out of this line item to date as well as the proposed funding to Open Access:

	Budget	Actual	(Over)/Under Budget
Children Area Remodel	\$60,000	\$2,288.44	\$57,711.56
Library Beam Replacement	\$0	\$6,862.50	(\$6,862.50)
Open Access	\$0	\$17,061.00	(\$17,061.00)
Total	\$60,000	\$26,211.94	\$33,788.06

Reallocating the approved funds to the Library’s Open Access program will allow the Library to be open from 8 am to 10 pm seven days a week to better serve our community. In addition, these funds will mainly cover one-time cost of installation of security cameras which will help protect our facility and its patrons.

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Motion:

On the motion of Commissioner Ysusi, seconded by Commissioner Hayse the Commission approve funding to the Library's Open Access program in the amount of \$17,061.

Aye: Ysusi, Cafilisch, Hayse

Nay: None

- C. Consider a resolution to pass monies received from the Transient Guest Tax through to the Independence Chamber of Commerce and to set a budget hearing for amending the 2020 budget to include a new budgeted fund for Transient Guest Tax.

On February 10, 2020 the City Clerk was sent a copy of a resolution passed by the County on January 27, 2020 regarding a change in the Transient Tax Distribution which is currently set at 5% County-wide. Previously the distribution was based on the number of beds in each community that were subject to the transient guest tax, and on average over the last 5 years, Independence's portion has been 49.5%. The distribution has been modified by Montgomery County Resolution 20-021 based on the following percentage:

Caney – 5%

Cherryvale – 5%

Coffeyville – 45%

Independence – 45%

In addition to the above modification, the funds are also being distributed directly to the cities, rather than to the Chamber of Commerce in the respective cities. In order to expend the funds, a new budgeted fund for Transient Guest Tax must be approved after holding a public hearing. The public hearing notice must be published at least ten days prior to the hearing.

Since the Chamber of Commerce has done an excellent job in their tourism efforts, staff's recommendation has been to not modify the amount of proceeds they are currently receiving. In order to pass through the proceeds, the following needs to occur:

1. Adopt a resolution regarding proceeds from the transient guest tax levied by Montgomery County.
2. Approve amending the budget for the receipt and expenditure of the Transient Guest Tax.

Motion:

On the motion of Mayor Cafilisch, seconded by Commissioner Ysusi the Commission adopted a Resolution with the modification to the last sentence in

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Section four that the Independence Convention and Visitor's Bureau shall then be responsible for compliance with all reporting requirements and submit to the City of Independence for further processing.

Aye: Ysusi, Caflisch, Hayse

Nay: None

Motion:

On the motion of Commissioner Hayse, seconded by Commissioner Ysusi the Commission approved to set the 2020 Amended Budget Hearing date March 26th, 2020 at 5:30 PM.

Aye: Ysusi, Caflisch, Hayse

Nay: None

- D. Consider modifying the location for the Remington Statue.

On November 14, 2019 the Commission authorized placement of a Remington statue near the 1916 City Hall building with the exact location to be determined once the funds had been raised. City staff has received a request from Wendy Hull representing the VFW to be on the agenda to further discuss this request. In verbal conversations with Wendy Hull, she has indicated that they would like to move the proposed location of this statue from 1916 City Hall to downtown on the northwest corner of Penn/Laurel.

Motion:

On the motion of Commissioner Ysusi, seconded by Commissioner Hayse the Commission authorized the placement of a Remington statue on the northwest corner of Penn/Laurel with the exact location to be determined once the funds have been raised.

Aye: Ysusi, Caflisch, Hayse

Nay: None

- E. Consider authorizing the placement of signs restricting parking to one side of Birch Street from 1st Street to Cement Street.

City staff received a parking complaint from a resident living on the 1000 block of E. Birch. The police department was asked to consider restricting on-street parking in the area.

A resident is complaining of traffic hazards created by vehicles parking on both sides of the street in the 1000 block of E. Birch. IPD staff surveyed the area and

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confirmed that only one vehicle at a time can travel through when cars are parked on both sides of the 700, 800, 900, and 1000 blocks of E. Birch. During the survey IPD staff located five different vehicles parking in manner that restricted travel to one lane. The survey was conducted at 3:10 pm. Staff estimates that after business hours traffic constriction increases.

City staff suggest alternating sides of the street with the no parking zone to accommodate residents that live across from a large vacant lot on the north side of the street. Another block has one house with a circle drive on the north side of the street while there are more houses with fewer parking opportunities on the south side of the street.

As measured on Pictometry the street is 25.7' wide in the 1000 block of E. Birch. The width of the street is too narrow to permit parallel, on-street parking on both sides. City Ordinance Sec. 102-116 Parking Restrictions on Narrow Streets gives the City Commission the authority to adopt parking restrictions on a case-by-case basis. The ordinance also specifies that the City has authority to restrict parking to one side of the street on streets that are 26 feet in width or less.

Following the National Association of City Transportation Officials (NACTO) Urban Street Design Guide lane width recommendations, parallel parking lanes should be 7-9 feet wide and travel lanes 10 feet wide. Parallel parking requires 14-18 feet of width for both sides of the street. This leaves 7.7-11.7 feet of lane-width for two directions of traffic. Restricting parking on the south side of the street provides 16.7-18.7 feet of lane-width for two-way traffic. This will require the placement of at least ten "NO PARKING THIS SIDE OF STREET" signs.

Motion:

On the motion of Commissioner Hayse, seconded by Commissioner Ysusi the Commission authorized the placement of signs restricting parking to one side of Birch Street from 1st Street to Cement Street.

Aye: Ysusi, Caflisch, Hayse

Nay: None

VI. REPORTS

A. 223 West Main Street Update.

Director Cowan had nothing to report at this time.

B. Neighborhood Revitalization Plan Update.

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Assistant City Manager Passauer provided an update.

C. 2020 Census Update

Assistant City Manager Passauer provided an update.

D. City Board Minutes

1. January 6, 2020 Electrical Board
2. February 4, 2020 Economic Development Advisory Board
3. February 4, 2020 Planning Commission/Board of Zoning Appeals
4. February 19, 2020 Recreation Commission

VII. CITY MANAGER'S COMMENTS

Director Cowan reported that there would be a community meeting for input and involvement in cleaning up the committee.

Director Cowan provided facts on the Coronavirus.

Director Beurskens reported on the repair of the welcome signs.

VIII. COMMISSIONERS' COMMENTS

Mayor Cafilisch asked if the League of Municipalities had come up with any guidelines on partnering.

Assistant City Manager Passauer replied that she had not received any notification on that issue.

Mayor Cafilisch wants to discuss a budget for City Hall to give Treanor more direction on that issue.

IX. PUBLIC CONCERNS

X. EXECUTIVE SESSION

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

Motion:

On the motion of Mayor Cafilisch, seconded by Commissioner Ysusi the Commission moved to recess for an executive session for review and discussion of City Manager applications pursuant to the non-elected personnel exception (K.S.A. 75-4319(b)(1)). The open meeting will resume at 7:20 P.M.

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Aye: Ysusi, Caflisch, Hayse

Nay: None

The meeting resumed at 7:20 P.M. with no action taken.

XI. ADJOURNMENT

Motion:

Mayor Caflisch moved to adjourn. Commissioner Hayse seconded.

Aye: Ysusi, Caflisch, Hayse

Nay: None

Leonhard Caflisch, Mayor

Louis Ysusi, Commissioner

Dean Hayse, Commissioner

Attest:

City Clerk/Treasurer