

## Minutes of the Independence City Commission's May 14, 2020 Meeting

The Independence City Commission met for a regular meeting on May 14, 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  
Lacey Lies, Director of Finance  
Jerry Harrison, Police Chief  
David Cowan, Director of Safety/ADA Coordinator  
Brian McHugh, Memorial Hall Supervisor  
Barb Beurskens, Park and Zoo Director by phone  
Terry Lybarger, Director of Utilities

### Visitors

Larry McHugh  
Jeremy Hallett  
Michael Borovetz  
Melissa Borovetz  
Patrick Conway  
Michelle Conway  
Tabatha Snodgrass  
Lisa Wilson

#### I. REGULAR SESSION

##### A. Call to Order

Mayor Caflisch called the meeting to order.

##### B. Pledge of Allegiance to the United States of America

##### 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

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- A. Planning Commission/Board of Zoning Appeals -- One expired term

**Motion:**

**On the motion of Mayor Cafilich, seconded by Commissioner Ysusi the Commission moved to appoint Rachel Lyon to the Planning Commission/Board of Zoning Appeals.**

**Aye: Ysusi, Cafilich, Hogsett**

**Nay: None**

### 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-1862
2. P-1835

- B. Consider minutes of the following meetings:

1. January 9, 2020 Regular Meeting
2. January 9, 2020 Special Meeting
3. January 13, 2020 Special Meeting
4. January 15, 2020 Special Meeting
5. January 23, 2020 Regular Meeting
6. January 23, 2020 Special Meeting
7. January 29, 2020 Special Meeting
8. January 30, 2020 Special Meeting
9. January 31, 2020 Special Meeting

**Motion:**

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

**Aye: Ysusi, Cafilich, Hayse**

**Nay: None**

### IV. ITEMS FOR COMMISSION ACTION

- A. Consider a request to hold a drive through job fair on May 27, 2020 from 10 AM to 2 PM at the park oval.

A request was received from Lacie Bohr with Kansas Works to hold a drive through job fair

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on May 27, 2020 from 10 AM to 2 PM at the park oval. This event would consist of Kansas Works representatives handing out bags with local employer information and other local resources to job seekers. The representatives will be wearing masks and gloves.

### **Motion:**

**On the motion of Commissioner Ysusi, seconded by Commissioner Hayse the Commission approved a request from Kansas Works to hold a drive through job fair on May 27, 2020 from 10 AM to 2 PM at the park oval.**

**Aye: Ysusi, Caflisch, Hayse**

**Nay: None**

- B. Consider an ordinance expanding the sale at retail of cereal malt beverage and alcoholic liquor on Sundays.

Previously the City Commission has discussed opening up the sale of cereal malt beverage and alcoholic liquor on Sundays. At that time the Commission requested to receive feedback from business owners. We have heard through Main Street that there is interest from some business owners to allow for Sunday sales. There are other business owners who have indicated they prefer not to be open on Sundays, as this would increase their overhead. However, this ordinance would not mandate that they be open on Sundays. By adopting this ordinance it provides the option to business owners to sell alcohol on Sundays if they so choose.

The ordinance would expand the sale at retail of cereal malt beverage in the original package to include any Sunday, except Easter, between the hours of 12:00 Noon and 8:00 PM; and it would expand the sale at retail of alcoholic liquor in the original package to include any Sunday, except Easter, between the hours of 12:00 Noon and 8:00 PM, and on Memorial Day, Independence Day, and Labor Day.

Once the ordinance is adopted it is required to be published once per week for two consecutive weeks in the official City newspaper. The ordinance does not go into effect until 60 days after its publication if a valid petition is not filed. If a valid petition is filed it must be placed on the ballot for a public vote.

Mayor Caflisch opened the item to public discussion.

Patrick Conway addressed the Commission and stated that he is in favor of opening his store on Sundays.

Mike Borovetz addressed the Commission and stated that he and a few other liquor store owners are against opening on Sundays.

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The Commissioners decided to table the item to allow more time for additional research and discussion with business owners.

**Motion:**

**On the motion of Mayor Cafilisch, seconded by Commissioner Ysusi the Commission tabled action and reconsider at a later date to be announced.**

**Aye: Ysusi, Cafilisch, Hayse**

**Nay: None**

- C. Consider setting the date of July 23, 2020, for a public hearing to consider condemnation of a fire damaged structure located at 1033 N. 17th Place as dangerous and unsafe.

The structure was involved in a fire on April 22, 2020, that gutted the garage and caused extensive wiring damage. Due to the wiring damage, the power has been disconnected. This structure was also totaled in the 2018 flood, and the owner has until August 2020 to determine whether they will repair or remove the structure. I continue to be in contact with the owner, along with the State of Kansas, as we work to resolve the flood damage claim.

**Motion:**

**On the motion of Commissioner Hayse, seconded by Commissioner Ysusi the Commission move to set the date of July 23, 2020, at 5:30 p.m. for a public hearing to consider condemnation of 1033 N. 17<sup>th</sup> Place.**

**Aye: Ysusi, Cafilisch, Hayse**

**Nay: None**

V. DISCUSSION

- A. Discuss COVID-19 expenses and potential impact on future revenue.

Director Lies presented a summary of expenses to date and a forecast of revenues that could be affected by the pandemic.

VI. REPORTS

- A. Reminder of May 20, 2020 Special Commission Meeting at 9 AM to discuss future capital projects

Acting City Manager Passauer affirmed that there would be a public hearing at that meeting for a CDBG grant.

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### B. ADA Project Update

Director Cowan gave an update on the various projects around the city.

### C. April Sales Tax Report

Director Lies presented a report of an increase in sales tax collections for the month of April.

### D. City Reopening Plan Update

1. AWOL added
2. Update from Utilities Director regarding pool pump repairs

Director Lybarger gave an update on the repairs.

Acting City Manager Passauer gave an update on the City's reopening plan.

### E. 2020 Census Update

Acting City Manager Passauer provided an update.

### F. Letter from the Planning Commission regarding updating the Comprehensive Plan

Acting City Manager Passauer noted that the Planning Commission wants a new plan and the plan they are currently working off is from 1982.

### G. Update from Police Chief on Parking Issues

Chief Harrison provided an update.

### H. Municipal Court Update

Acting City Manager Passauer provided an update.

### I. City Board Minutes

1. March 3, 2020 Planning Commission/Board of Zoning Appeals
2. April 15, 2020 City Recreation Commission

## VII. CITY MANAGER'S COMMENTS

Acting City Manager Passauer provided an update on city projects that are ongoing.

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VIII. COMMISSIONERS' COMMENTS

Commissioner Hayse asked to move the June 17<sup>th</sup> Worksession to June 10<sup>th</sup>.

IX. PUBLIC CONCERNS

X. EXECUTIVE SESSION

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

**Motion:**

**On the motion of Mayor Caflisch, 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 7:40 P.M.**

**Aye: Ysusi, Caflisch, Hayse**

**Nay: None**

The meeting resumed at 7:40 P.M. with no action taken.

XI. ADJOURNMENT

**Motion:**

**Commissioner Hayse moved to adjourn. Commissioner Ysusi seconded.**

**Aye: Ysusi, Caflisch, Hayse**

**Nay: None**

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Leonhard Caflisch, Mayor

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Louis Ysusi, Commissioner

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Dean Hayse, Commissioner

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Attest:

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City Clerk/Treasurer