

Minutes of the Independence City Commission's January 21, 2016 Meeting.

The Independence City Commission met on January 21, 2016 at 5:30pm in the Veterans Room at Memorial Hall. Mayor Leonhard Caflisch, Commissioner Gary Hogsett, and Commissioner Fred Meier were present. Others present included:

**City Staff**

Micky Webb, City Manager  
Jennifer Rutledge, Director of Finance/City Clerk  
Jeff Chubb, City Attorney  
Mark Vining, Officer in Charge – Police Department  
Dave Cowan, Public Safety Director  
Terry Lybarger, Utilities Director  
Mike Passauer, Public Works Director  
April Nutt, Housing Director

**Visitors**

Jerry Bright	Doraly Aquine-Palma
Jon Reed	Tammy Roth
Steve McBride	Jeff Weimer
Julie Dunham	Larry Weimer
Bailey Babcock	Daniel Grice
Cooper King	Dorcas Sutton
Madeline Kyle	Larry McHugh
Emma Schaper	Charlotte Caflisch
John Heckman	Andy Taylor

**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 e. Consider authorizing assessing a nuisance tax on 825 S. Park Blvd relating to condemnation proceedings [CITIZENS] was moved to Items for Commission Action.**
- **Item k. Consider authorizing selling 921 W Myrtle to Hometown Healthcare.**

- **Item I. Consider agreement with Mercy regarding demolition of portions of property donated at 800 W. Myrtle.**

**Aye: Cafilisch, Meier, Hogsett**

**Nay: None**

**Adoption of the Consent Agenda**

- a. Appropriation

- 1. P-1720

**Motion:**

**On the motion of Commissioner Hogsett, seconded by Commissioner Meier, the commission approved P-1720 for \$123,312.66.**

**Aye: Cafilisch, Meier, Hogsett**

**Nay: None**

- b. Consider approving the minutes of the January 14, 2016 Commission meetings [CITIZENS].

**Motion:**

**On the motion of Commissioner Hogsett, seconded by Commissioner Meier, the commission approved the minutes of the January 14, 2016 Commission meetings:**

**Aye: Cafilisch, Meier, Hogsett**

**Nay: None**

- c. Consider donating old tennis lights to USD 446 [CITIZENS].

We have received a request from the USD 446 for donation of the old tennis court lights. These are not being utilized by the City. City staff recommends approval.

**Motion:**

**On the motion of Commissioner Hogsett, seconded by Commissioner Meier, the commission approved the request from USD 446 for donation of the old tennis court lights:**

**Aye: Cafilisch, Meier, Hogsett**

**Nay: None**

- d. Consider authorizing blocking portions of West Maple Street and South 8<sup>th</sup> Street around the Booth Hotel on April 2, 2016 from 4:30 PM to 9 PM for prom [CITIZENS/OTHER GOVERNMENTAL ENTITIES].

Attached is a request from Adriana Doraly Aguirre-Palma, Junior Class Representative relating to allowing the blocking of portions of West Maple Street and South 8th Street around the Booth Hotel on April 2, 2016 from 4:30 PM to 9 PM for prom. This request has been reviewed by the Public Safety Director and Officer in Charge and they indicated that this would be similar to what was done previously. City staff recommends authorizing the request.

**Motion:**

**On the motion of Commissioner Hogsett, seconded by Commissioner Meier, the commission authorized blocking portions of West Maple Street and South 8<sup>th</sup> Street around the Booth Hotel on April 2, 2016 from 4:30 PM to 9 PM for prom.**

**Aye: Cafilisch, Meier, Hogsett**

**Nay: None**

- e. Consider authorizing assessing a nuisance tax on 825 S. Park Blvd relating to condemnation proceedings [CITIZENS].

Attached is an ordinance assessing a nuisance tax on 825 S. Park Blvd for expenses relating to condemnation action. City staff recommends adopting the attached ordinance.

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

**Public Hearing**

- f. Public hearing to consider condemnation of 612 E. Magnolia as dangerous and unsafe [CITIZENS].

After closing the public hearing, staff recommends proceeding with adoption of a resolution condemning the property as dangerous and unsafe and providing the owner 30 days to commence repair or removal.

**The Mayor opened the Public Hearing. The Building inspector explained that this building was a fire damaged structure and needs to be removed quickly. After no comments from the Public, the Mayor closed the public hearing.**

**Motion:**

**On the motion of Commissioner Meier, seconded by Commissioner Hogsett, the commission adopted resolution 2016-001 condemning the property as dangerous and unsafe and an imminent danger to the public for immediate removal.**

**Aye: Cafilisch, Meier, Hogsett**

**Nay: None**

**Items for Commission Action**

- g. Consider authorizing assessing a nuisance tax on 825 S. Park Blvd relating to condemnation proceedings [CITIZENS].

Attached is an ordinance assessing a nuisance tax on 825 S. Park Blvd for expenses relating to condemnation action. City staff recommends adopting the attached ordinance.

**Motion:**

**On the motion of Commissioner Meier, seconded by Commissioner Hogsett, the commission adopted Ordinance 4200 assessing a nuisance tax of \$239.99 on 825 S. Park Blvd.**

**Aye: Cafilisch, Meier, Hogsett**

**Nay: None**

- h. Consider a request from a citizen to address cars racing down 12th from the stop sign at Beech to Pecan [CITIZENS].

Attached is a recommendation from the Public Safety Director regarding a citizen complaint regarding cars racing down 12<sup>th</sup> Street and missing the turn at Pecan which has caused the cars to end up in the citizen's yard at 12<sup>th</sup> and Riley. The Public Works Director and Officer in Charge also reviewed the concern and the group recommends a three-prong approach which includes 1) placing signage along 12<sup>th</sup> warning of the left hand turn, 2) placing a guard rail with delineators and reflective tape and 3) increasing patrol in the area.

**Motion:**

**On the motion of Commissioner Meier, seconded by Commissioner Hogsett, the commission approved the staff recommendation as presented including signage, a guard rail, and increased patrols.**

**Aye: Cafilisch, Meier, Hogsett**

**Nay: None**

- i. Consider rescinding condemnation action for the structure at 825 S. Park Blvd [CITIZENS].

This structure has been removed by the property owner. Staff recommends adopting the attached resolution rescinding condemnation action for the property located at 825 S. Park Blvd.

**Motion:**

**On the motion of Commissioner Hogsett, seconded by Commissioner Meier, the commission adopted resolution 2016-002 rescinding condemnation proceedings for the property located at 825 S Park Blvd.**

**Aye: Cafilisch, Meier, Hogsett**

**Nay: None**

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

1. 200 S. 9<sup>th</sup> -- The property owner has indicated that they are not going to repair or remove the property and it is their intention to sell the property "as is". The Building Inspector recommends setting a date for removal.

**Motion:**

**On the motion of Commissioner Meier, seconded by Commissioner Hogsett, the commission voted to table action for 60 days to allow the process for a potential purchase of 200 S 9<sup>th</sup> to finalize.**

**Aye: Cafilisch, Meier, Hogsett**

**Nay: None**

2. 812 W. Cottonwood – No improvements. The Building Inspector recommends setting a date for removal.

**Motion:**

**On the motion of Commissioner Meier, seconded by Commissioner Hogsett, the commission authorized city staff to set the date for removal of 812 W. Cottonwood.**

**Aye: Cafilisch, Meier, Hogsett**

**Nay: None**

3. 821 E. Maple – Improvements have been slowly occurring. Building Inspector's recommendation is to review in 30 days.

**This property will be reviewed in 90 days.**

- k. Consider authorizing selling 921 W Myrtle to Hometown Healthcare:

**Motion:**

**On the motion of Commissioner Hogsett, seconded by Commissioner Meier, the commission authorized the signing of a contract to sell 921 W. Myrtle to Hometown Healthcare for \$50,000.00 "as is" pending an inspection and including the x-ray equipment.**

**Aye: Cafilisch, Meier, Hogsett**

**Nay: None**

- l. Consider agreement with Mercy regarding demolition of portions of property donated at 800 W. Myrtle.

**Executive Session**

**Motion:**

**On the motion of Commissioner Meier, seconded by Commissioner Hogsett, the commission called a 10 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 6:40. The executive session included Mayor Cafilisch, Commissioner Meier, Commissioner Hogsett Micky Webb, and Jeff Chubb.**

**Aye: Cafilisch, Meier, Hogsett**

**Nay: None**

The Mayor called the meeting back to order at 6:40.

**Motion:**

**On the motion of Commissioner Hogsett, seconded by Commissioner Meier, the commission called a 10 minute Executive Session according to Kansas Statute 75-4319 (b) (1) for the purpose of discussing personnel matters of non-elected personnel to end at 6:50pm. The Executive Session included Mayor Cafilisch, Commissioner Meier, and Commissioner Hogsett and Micky Webb.**

**Aye: Cafilisch, Hogsett, Meier**

**Nay: None**

**Adjournment**

**Motion:**

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

**Aye: Caflich, Hogsett, Meier**

**Nay: None**

  
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Leonhard Caflich, Mayor

  
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Gary Hogsett, Commissioner

  
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Fred Meier, Commissioner

Attest:

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

# Attendance Sheet

## Independence City Commission Meeting

### January 21, 2016

**PLEASE PRINT**

Name	Address
1 Jon Reed, Home Town Health Care	314 N 7 <sup>th</sup> Independence, KS
2 <del>Steve McBookin</del> Reporter	
3 Jerry Bright	201 S 13 <sup>th</sup> Ind. Dep.
4 Julia Dombau	1814 N. Park Blvd.
5 Bailey Babcock	2716 N 10 <sup>th</sup>
6 Cooper King	2977 S. 11 <sup>th</sup> S.
7 Madeline Kyle	3964 CR 5200
8 Emma Schaper	153 E Winograd Rd
9 John Heckman	P.O. Box 1314 67301
10 Doraly Aguirre-Palma	417 E. Edison St.
11 Tammy Roth	3773 CR 3000 Ind.
12 Jeff Weimer	700 N Tenth
13 Gary Weimer	601 R. by St.
14 Daniel Price	201 west main st.
15 Dennis Smith	1201 25 <sup>th</sup> Ind.
16 Larry McHugh	3625 CR 4300 Indep.
17 Charlotte Caffrey	600 S. 5 <sup>th</sup>
18	