

The Independence City Commission met for a regular meeting on February 14, 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

Craig Whitehead, City Manager
Jeff Chubb, City Attorney
Kelly Passauer, Assistant City Manager/Zoning Administrator
David Schwenker, City Clerk/City Treasurer
David Cowan, Director of Safety/ADA Coordinator
Shawn Wallis, Fire/EMS Chief
Terry Lybarger, Director of Utilities
Mike Passauer, Public Works Director
Brian McHugh, Memorial Hall Supervisor
April Nutt, Director of Housing Authority
Jerry Harrison, Police Chief
Cody Shamblin, Airport Supervisor

Visitors

Jerry Bright
Vance Kelley
Dean Hayse
Judy Ysusi
Dorcus Sutton
Brian Williams
Lisa Wilson
Ryan Fisher
Ellie Davis
Larry McHugh
Ryan Fisher

I. REGULAR SESSION

- A. Call to Order
Mayor Ysusi called the meeting to order at 5:30 P.M.
- B. Pledge of Allegiance to the United States of America
- C. Adoption of Agenda

Motion:

On the motion of Commissioner Cafilisch, seconded by Commissioner Hogsett the Commission adopted the agenda with the modification that item "C" be removed from the consent agenda and moved to items for Commission action.

Aye: Ysusi, Cafilisch, Hogsett

Nay: None

II. COMMON 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.) LC/GH

- A. Appropriations
 - 1. A-1832
 - 2. P-1802
 - 3. P-1803
- B. Consider approving minutes of the January 15, 2019 City Commission Meeting.
- C. Consider accepting the donation agreement with Labette Health for three IV Pumps.

This item was removed from the consent agenda and moved to items for Commission action

- D. Consider authorizing the Mayor to sign the AWOL contract for 2019.

Motion:

On the motion of Commissioner Cafilisch, seconded by Commissioner Hogsett the Commission adopted the consent agenda with the exception of item "C" which was moved to items for Commission action.

Aye: Ysusi, Cafilisch, Hogsett

Nay: None

III. ITEMS FOR COMMISSION ACTION

- A. Consider accepting the donation agreement with Labette Health for three IV Pumps.

This item was removed from the consent agenda and moved to items for Commission action

Commissioner Cafilisch requested this item to be removed because of inconsistencies in the paperwork received which listed 4 pumps for donation. David Cowan explained to the Commission that the first pump listed went to Cherryvale EMS and 2, 3 and 4 went to Independence EMS. Commissioner Cafilisch stated that the number 1 pump should be scratched from the exhibit.

Motion:

On the motion of Commissioner Cafilisch, seconded by Commissioner Hogsett the Commission authorized the Mayor to sign the agreement for 3 IV pumps.

Aye: Ysusi, Cafilisch, Hogsett

Nay: None

- B. Consider a request to approve an agreement with Shift Sector to hold an event at the Independence Airport on May 25 through May 26, 2019.

Mike Passauer, Public Works Director reviewed the item and introduced Cody Shamblin, Airport Supervisor and Ryan Fischer, Event Promoter. Mr. Fischer explained that his company holds drag race festivals at different airports around the country and they would like to do a similar event here in Independence that he hopes would become an annual event. Mayor Ysusi asked how many people they anticipate will attend the event. Mr. Fischer stated that based on past events at similar sized airports they expect that the first year approximately 1,000 people will attend each day of the event. Mayor Ysusi asked if he could take a lap. Mr. Fischer stated that they do allow ride a-longs to passengers who are over 18. They must sign a waiver and the speed is limited to 180 MPH. Commissioner Cafilisch asked about the different classes and if anyone could sign up to race their own car for fun. Mr. Fischer explained that anyone can sign up and drive for fun if they meet the safety requirements. He then explained about the different classes of competition. Commissioner Hogsett asked how they chose the Independence airport over all the other airports in the country. Mr. Fischer explained that there are only so many airports around the country that meet their criteria and Independence was one of them. Commissioner Cafilisch inquired if they would be using the runway or the taxiways as their track. Mr. Fischer explained that the main runway would be the track and everything from the FBO south would be the event area. He explained that security would be there to keep spectators out of the hanger area and other airplane trafficways. He also stated that the secondary runway would still be open to airplane traffic and that the event is halted whenever a plane is on approach or takeoff. City Manager Craig Whitehead stated that he had met with Textron and they were enthusiastic about the event. He also stated that the Experimental Aircraft Association contacted him and pledged their support for the event. Commissioner Hogsett asked who came up with the \$4,000 fee. Mr. Fischer replied that is the starting point and if the event becomes successful and grows the fee could be revisited.

Motion:

On the motion of Commissioner Hogsett, seconded by Commissioner Cafilisch the Commission moved to allow Shift Sector to hold their racing event on May 25th and May 26th.

Aye: Ysusi, Cafilisch, Hogsett

Nay: None

- C. Consider authorizing the Mayor to sign an assignment of agreement from the Recreation Committee to USD 446 to extend water services; and an addendum to agreement to extend water services for the new bus facility.

City Manager Craig Whitehead stated that the assignment and addendum is to extend the sewer system and the Director of Utilities Terry Lybarger came up with the cost of that connection to \$15,000. Commissioner Cafilisch asked if the 8" water line is a private line. Terry Lybarger stated that it was a city line along with a 2" water line for irrigation. Commissioner Cafilisch asked if the new sewer line would be a public or

private line. Mr. Lybarger said that it had not been discussed but, he foresaw that as their system to maintain since they are paying for it. Commissioner Cafilisch asked if the cost to bore under the road is included. My Lybarger said it was. Commissioner Cafilisch inquired about right of way purchases and was assured by the City Attorney Jeff Chubb that was not the City's responsibility. Mayor Ysusi wanted to be clear if the School District would maintain the sewer line. My Lybarger stated that it was his intention.

Motion:

On the motion of Commissioner Hogsett, seconded by Commissioner Cafilisch the Commission moved to authorize the Mayor to sign an assignment of agreement to extend water services; and an addendum to agreement to extend water services.

Aye: Ysusi, Cafilisch, Hogsett

Nay: None

- D. Consider authorizing the Mayor to sign an agreement with TreanorHL for preparing State Historic Tax Credit Application Services for City Hall Renovation Phase I.

Vance Kelley stated that the application for the tax credits needed to be filled out before work on Phase I of City Hall could commence. Part I shows the State Historic Preservation Office that the building contributes to the historic district. Part II shows the extent of the work that will meet the Secretary of the Interior's standards. Part III is completed after the construction work is done to show that the plan in Part II was followed. Finally, a third application is applied with the Kansas Department of Revenue to receive the tax credit certificate. Commissioner Cafilisch asked if this is for the project that has been bid right now. Mr. Kelley stated that is correct and suggested submitting the Part III's after both phases are completed and the City would have a larger market to sell the tax credits. Commissioner Cafilisch asked about the approval process. Mr. Kelley replied that the State Preservation Office usually has completed the process within 30 days and that the City would want to have that certificate before giving the notice to proceed to the contractor. Commissioner Cafilisch asked about separate notices to proceed. Mr. Kelley stated that they could allow for preconstruction work and then after the work is approved by the State Preservation Office have the contractors begin work onsite.

Motion:

On the motion of Commissioner Cafilisch, seconded by Commissioner Hogsett the Commission approved the proposed consulting agreement with TreanorHL for State Historic Tax Credits Part 1, 2, and 3 for City Hall Renovation Phase I.

Aye: Ysusi, Cafilisch, Hogsett

Nay: None

IV. Reports

- A. Labette Health – Economic Development Compliance Testing Report as of 12.31.2018.

Brian Williams presented a report which is attached.

- B. Peter Pan Road Project Update.

City Manager Craig Whitehead informed the Commission that the letting date for this project is still set for March 2019.

- C. 4th Quarter Treasurer's Report.

Commissioner Cafilisch asked some questions about certain funds and wanted to discuss them at the upcoming special meeting.

- D. Library Board of Trustees Year End Report and 10 Year Facility Plan.

- E. City Board Minutes

1. January 4, 2019 Library Board of Trustees
2. January 16, 2019 City Recreation Commission

V. CITY MANAGER'S COMMENTS

City Manager Craig Whitehead informed the Commission the Special Commission Meeting on the 20th of February 2019 may have to be moved from 9:00 a.m. to 5:30 p.m. because all of the rooms at Memorial Hall have been reserved by the school for testing. The Commission had no problem with moving the meeting time.

VI. COMMISSIONERS' COMMENTS

Commissioner Hogsett was happy to see the sales tax report that showed January receipts were the highest they had been in a decade. He also mentioned increasing the Commission size to 5 members and asked to have that on the agenda for the next regularly scheduled meeting.

VII. PUBLIC CONCERNS

None

VIII. EXECUTIVE SESSION

- A. Personnel matters of non-elected personnel.

Motion:

The Mayor moved to go into executive session for 15 minutes for discussion of employee performance pursuant to the non-elected personnel exception (KSA 75-4319(b)(I)) with the open meeting resuming at 6:45 PM. Commissioner Cafilisch seconded.

Aye: Ysusi, Cafilisch, Hogsett

Nay: None

The Commission came back into session at approximately 6:45 PM.

The Mayor moved to extend the executive session for ten more minutes with the open meeting resuming at 6:55 PM. Commissioner Cafilisch seconded.

Aye: Ysusi, Cafilisch, Hogsett

Nay: None

The Commission came back into session at approximately 6:55 PM.

The Mayor moved to extend the executive session for twenty more minutes with the open meeting resuming at 7:15 PM and asked City Manager Craig Whitehead and City Attorney Jeff Chubb to join them. Commissioner Cafilisch seconded.

Aye: Ysusi, Cafilisch, Hogsett

Nay: None

The Commission came back into session at approximately 7:15 PM.

The Mayor moved to extend the executive session for twenty more minutes with the open meeting resuming at 7:35 PM. Commissioner Cafilisch seconded.

Aye: Ysusi, Cafilisch, Hogsett

Nay: None

The Commission came back into session at approximately 7:35 PM with no action being taken.

IX. ADJOURNMENT

Motion:

Commissioner Cafilisch moved to adjourn. Commissioner Hogsett seconded.

Aye: Ysusi, Cafilisch, Hogsett

Nay: None

Louis Ysusi, Mayor

Leonhard Caflisch, Commissioner

Gary Hogsett, Commissioner

Attest:

City Clerk/Treasurer