

Minutes of the Independence City Commission's March 14, 2019 Meeting

The Independence City Commission met for a regular meeting on March 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
Barb Beurskens, Park and Zoo Director

Visitors

Jerry Bright
Barbara Crebase
Kathy Shepard
Mary Corn
Tabatha Snodgrass
Judy Ysusi
Brent Julian
Nick McBride
Christy Mavers
Dean Hayse
Tony Royse
Ned Stichman
Drew Demo
Georgianna Epps
Linda Henning

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.

Aye: Ysusi, Caflisch, 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.)

A. Appropriations

1. A-1833A
2. A-1834
3. D-1902
4. P-1805

B. Consider approving the minutes of the January 24, 2019 City Commission Meeting.

C. Consider authorizing blocking the 100 block of West Myrtle Street every Saturday from 7 AM to 11 AM from May through August of 2019 for the Independence Farmers Market.

Motion:

On the motion of Commissioner Caflisch, seconded by Commissioner Hogsett the Commission adopted the consent agenda.

Aye: Ysusi, Caflisch, Hogsett

Nay: None

III. ITEMS FOR COMMISSION ACTION

A. Consider requests from Main Street:

1. Close the 200 block of North Penn from 4:30 PM to 8 PM on May 2nd, August 1st, September 5th; and to close the 300 block of North Penn on June 6th for First Thursday.
2. Authorize hanging baskets in the downtown area.

Tabatha Snodgrass addressed the Commission and described the prior years' First Thursday events and the upcoming events that are being scheduled. Tabatha then showed the Commission the hanging baskets that the Main Street Committee would like to hang from the light poles in the 200 block of North Penn.

Motion:

On the motion of Commissioner Hogsett, seconded by Commissioner Caflisch the Commission moved to adopt a resolution allowing Main Street to close the 200 block of North Penn from 4:30 PM to 8 PM on May 2nd, August 1st, September 5th; and to close the 300 block of North Penn on June 6th for First Thursday; and (2) I moved to authorize Main Street to place hanging baskets downtown.

Aye: Ysusi, Caflisch, Hogsett

Nay: None

B. Consider ADA improvements to the baseball complex.

Director Cowan introduced Brent Julian, Recreation Commission Director, Nick McBride and Christy Mavers, Recreation Commission Board President. Director Julian outlined a plan to the Commissioners for the Recreation Commission to renovate the area between the Skate Board Park and the baseball fields.

Commissioner Caflisch asked who owns the property.

Director Julian said the City owns the property and the Recreation Commission would be responsible for the maintenance and ADA compliance.

Commissioner Caflisch inquired if the construction of new buildings would be performed by the Recreation Commission.

Director Julian affirmed.

Commissioner Caflisch discussed ADA responsibilities.

Director Julian talked about improving the area and ADA compliance but the Recreation Commission has only so much money and time will be a factor.

Commissioner Ysusi asked about environmental concerns.

Assistant City Manager Passauer said that the environmental studies were done and there were no significant issues.

Director Cowan recommended a temporary fix for the ADA issues at the ball fields at a cost of \$10,000 that would help with during this season.

After much discussion the Commissioners agreed that the temporary fix would work for the present time.

C. Consider proclaiming April 2, 2019 as National Service Recognition Day.

Kathy Shephard appeared with her volunteers of RSVP of Four County and talked about collecting items for Veterans that are in a VA Hospital.

Mayor Ysusi thanked the volunteers for their service.

Motion:

On the motion of Commissioner Caflisch, seconded by Commissioner Hogsett

the Commission moved to proclaim April 2, 2019 as national Service Recognition Day and authorized the Mayor to sign the proclamation.

Aye: Ysusi, Caflich, Hogsett

Nay: None

- D. Consider an ordinance repealing previous ordinances creating the Independence Downtown Art & Cultural Advisory Board.

Commissioner Caflich discussed the intended purpose of the Board and possible ways of restructuring it.

Commissioner Ysusi discussed a collaboration between Main Street and other ethnic groups and believed using the Diversity Taskforce and the Chamber would be the way to go on this.

Motion:

On the motion of Commissioner Hogsett, seconded by Commissioner Caflich the Commission moved to approve an ordinance repealing previous ordinances creating the Independence Downtown Art & Cultural Advisory Board.

Aye: Ysusi, Caflich, Hogsett

Nay: None

- E. Consider an ordinance to increase the miniature train, miniature golf and building rental rates as recommended by the Park Board.

City Attorney Chubb noted in the previous ordinance that a partial rental of a building was included.

Park and Zoo Director Beurskens said that those were changed a year or two ago and they no longer rent partial buildings.

Motion:

On the motion of Commissioner Caflich, seconded by Commissioner Hogsett the Commission moved to approve the signing of Ordinance 4288 amending Appendix D with regards to rates and fees charged in the park and Zoo with the deletion of items two and three under Section One, Item One.

Aye: Ysusi, Caflich, Hogsett

Nay: None

- F. Consider an ordinance reannexing Lots 14 and 15 of the West Laurel Street Industrial Park into the City limits.

Assistant City Manager Passauer explained that the Independence Action partnership had previously asked the City to de-annex this property because of the possibility of installing wells on it. Now the City has purchased the property back and the need is there to bring it back into the city limits.

Motion:

On the motion of Commissioner Hogsett, seconded by Commissioner Cafilich the Commission moved to approve an ordinance annexing Lots 14 and 15 of the West Laurel Street Industrial Park into the City limits.

Aye: Ysusi, Cafilich, Hogsett

Nay: None

IV. REPORTS

A. Review neighborhood revitalization districts.

Assistant City Manager Passauer informed the Commission of three revitalization districts that had expired.

B. 2018 Annual City Report.

City Manager Whitehead presented the 2018 Annual City Report.

C. City Boards

1. December 4, 2018 Planning Commission/Board of Zoning Appeals Minutes

V. CITY MANAGER'S COMMENTS

City Manager Whitehead introduced Lacey Lies as the new Finance Director and gave an update on the new letting date for the Peter Pan road extension in May.

VI. COMMISSIONERS' COMMENTS

A. Request from Commissioner Cafilich to discuss; current ADA project and procurement policy.

Mayor Ysusi asked when TreanorHL would return with their recommendations on the bids submitted for Phase I of City Hall. City Manager Whitehead said that they hadn't given him a firm date and that it would be the March 28th or April 11th meeting.

Commissioner Cafilich addressed the ADA procedures and inquired about a procurement policy. City Manager Whitehead informed the Commission that a draft policy has been written and he asked for additional time in presenting it to the Commission to allow the new Finance Director time to go over it.

VII. PUBLIC CONCERNS

None

VIII. EXECUTIVE SESSION

A. Acquisition of Real Estate

Motion:

On the motion of Mayor Ysusi, seconded by Commissioner Cafilich the Commission moved to go into executive session for discussion of possible acquisition of real estate for economic development purposes pursuant to the preliminary discussion on acquisition of real estate exception (KSA 75-4319(b)(6)) with the open meeting resuming at 7:45 PM.

Aye: Ysusi, Cafilich, Hogsett

Nay: None

The Commission came back into session at approximately 7:45 P.M.

Motion:

On the motion of Mayor Ysusi, seconded by Commissioner Cafilich the Commission moved to authorize a "Certification by the Local Public Authority to the Kansas Department of Transportation of Real Property Acquisition Procedures, Right of Way Clearance, Utility Arrangements and other Matters" in the amount of \$9,200.00 for the North Peter Pan Road Improvements.

Aye: Ysusi, Cafilich, Hogsett

Nay: None

B. Personnel matters of non-elected personnel.

Motion:

The Mayor moved to go into executive session for 20 minutes for discussion of employee performance pursuant to the non-elected personnel exception (KSA 75-4319(b)(1)) with the open meeting resuming at 8:06 PM. Commissioner Cafilich seconded.

Aye: Ysusi, Cafilich, Hogsett

Nay: None

The Commission came back into session at approximately 8:06 P.M.

Motion:

The Mayor moved to go into executive session for 10 minutes for discussion of employee performance pursuant to the non-elected personnel exception (KSA 75-4319(b)(1)) with the open meeting resuming at 8:16 PM. Commissioner Cafilich seconded.

Aye: Ysusi, Caflisch, Hogsett

Nay: None

The Commission came back into session at approximately 8:16 P.M.

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)(1)) with the open meeting resuming at 8:33 PM. Commissioner Caflisch seconded.

Aye: Ysusi, Caflisch, Hogsett

Nay: None

The Commission came back into session at approximately 8:33 P.M. No action was taken.

IX. ADJOURNMENT

Motion:

Commissioner Hogsett moved to adjourn. Commissioner Caflisch seconded.

Aye: Ysusi, Caflisch, Hogsett

Nay: None

Louis Ysusi, Mayor

Leonhard Caflisch, Commissioner

Gary Hogsett, Commissioner

Attest:

City Clerk/Treasurer